

2205 THE 17
PARLIAMENTARY
OR
CONSTITUTIONAL
History of England;
BEING A
FAITHFUL ACCOUNT

Of all the
Most remarkable TRANSACTIONS
In PARLIAMENT,
From the earliest TIMES,
TO THE
Restoration of King CHARLES II.

COLLECTED

From the RECORDS, the JOURNALS of both HOUSES, original MANUSCRIPTS, scarce SPEECHES, and TRACTS; all compared with the several Contemporary Writers, and connected, throughout, with the History of the Times.

By SEVERAL HANDS.

—*Juvat integros accedere Fontes.*

VOL. XIV.

From the Battle of Naseby, in June 1645, to July 1, 1646.

L O N D O N,

Printed, and sold by WILLIAM SANDBY, against St. Dunstan's Church, Fleet-street. MDCCLV.

NOV 22 1927

Nov 22 1927

To the PUBLIC

IN the Course of the following Volumes the Reader will find a very minute and circumstantial Account of many Debates in Parliament upon the most interesting Topics, and several Papers of Importance, hitherto, in a great Measure, concealed from the Notice of the Public: Some Account, therefore, of the Authorities from whence they are derived cannot be improper.

IN order to this it is necessary to premise, that, during the Civil Wars, and more particularly after the Army began to give Law to the Parliament who had raised them, there was published a vast Variety of Journals, Diaries, &c. some weekly, some oftner: To give a Catalogue of all these would be endless, we shall therefore only mention the principal: And first, a Pamphlet call'd The MODERATE INTELLIGENCER, impartially communicating Martial Affairs to the Kingdom of England^a. This Journal seems to have been published under the Direction of the Army alone, and was licensed by Gilbert Mabbot, appointed to that Office by the Parliament, upon the Recommendation of Lord Fairfax, and his General Council of Officers. From hence several Letters, and valuable Papers of State, are exactly copied into Mr. Rushworth's Collections and Mr. Whitlocke's Memorials.

THE next is intituled MERCURIUS PRAGMATICUS, communicating Intelligence from all Parts, touching all Affairs, Designs, Humours, and Conditions throughout the Kingdom; especially from Westminster and the Head Quarters^b. This Author enters more particularly into the Transactions of Parliament than any other Journalist; for he not only gives a very exact Detail of their Votes and Resolutions, and the respective Divisions thereupon; but also, with a surprizing Boldness for the Times, supplies us with Minutes of their Debates, in such a Manner as to render it highly probable he must have had his Information from some of the Members themselves. And as we find, upon comparing his Narrative with the Journals of both Houses, it coincides exactly with those Authorities as to the several Votes and Divisions, there can be little or no Reason to doubt the Veracity of it in regard to the Debates themselves; and the rather, since the Arguments, attributed to the respective Members, correspond with their general Characters and Conduct as given by other Historians. Lord Clarendon has taken great Part of his Account of the Debates in Parliament from this Writer; and, in several Instances, in Terminis.

THE latter of these two Journalists appears to have been retained as much on the Part of the King, as the former for the Parliament and the Army. Both of them

^b This Journal has not the Name of the Printer or Publisher.

them having, accordingly, thrown their Reflections in favour of their respective Patrons, we have, in our Quotations from them, confined ourselves merely to the Facts they relate, stripp'd of such sarcastical Expressions as serve no other Purpose than to shew the Attachment of the Authors to the Parties they had, respectively, espoused.

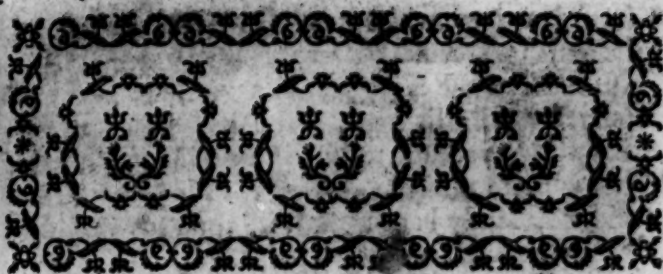
BESIDES these, and an infinite Number of other Pamphlets and printed Papers of the Times, the Reader will find, digested in their proper Series, a large Collection of Letters, Remonstrances, Declarations, &c. presented to both Houses, on various Occasions, by the Scots Commissioners residing in London; and, particularly, touching the King's throwing himself into the Hands of their Army during the Siege of Newark; their delivering him up afterwards to the Commissioners appointed by the Parliament of England to receive him; and their Protestation, in the Name of the whole Kingdom of Scotland, address'd to the Speaker of the House of Commons in January 1648, against bringing his Majesty to a Trial, and taking away his Life.— All these Papers may, by some, be thought very tedious; but, as they give great Light into the succeeding Transactions, and are no where to be met with intire but in the Lords Journals, or in the separate Editions printed at the respective Times, by Direction of the Scots Commissioners

missioners themselves, it is but Justice to that Nation, and to Truth, to insert them at large; which is the more necessary, because most of them are either entirely omitted, or slightly pass'd over, by Mr. Rushworth.

WE have now brought our History down to that interesting Crisis, when Monarchy was abolished; the House of Peers turn'd out of Doors; their very Records seiz'd on by the Commons; and the latter voted themselves to be the Sole Legislative Power of the Nation.

OUR Nineteenth Volume will begin with the Out-Lines of the succeeding Commonwealth; Amongst other Materials of no less Import, this Part of the Work will receive great Advantage from a printed Journal, lately fallen into our Hands, intituled, Several Proceedings in Parliament, licens'd by their Clerk, Henry Scobell, Esq; and published weekly.

FROM this last Authority, and the single Editions of the most remarkable Votes and Resolutions, printed at the respective Times of passing them, we shall be enabled to restore many important Passages; which, upon the Re-admission of the Members that had been seclud'd by the Army in December 1648, were expunged out of the Original Journal, in February and March 1659, by their Order; which Event, soon after, made Way for the Restitution of Monarchy and the antient Constitution of this Kingdom.



T H E

Parliamentary History

O F

E N G L A N D.

WE concluded our last Volume with an Account of the King's own Cabinet of Letters being taken at the Battle of *Naseby*, by Sir *Thomas Fairfax*; and the *Resolutions* of both Houses for appointing a joint Committee to direct the printing and publishing the most material of them, with *Observations* thereupon. The Report from the said Committee was made, on the third of *July*, by the Earl of *Northumberland*, to the Lords; to which it may not be improper to subjoin the Passages in the King's Letters to the Queen, on which these Animadversions are grounded.

An. 21. Car. 1.
1645.
July.

The Parliament's Observations on the King's Letters taken at *Naseby*.

1. ' That the King endeavours to overthrow the Act of Parliament, and his public *Declarations* of acknowledging this Parliament at the *Treaty*, by an Act of Council at *Oxford*, and an Entry upon the Council-Book.

2. ' That his Owning of the Parliament was only to draw on the *Treaty*, by which he hoped

VOL. XIV. A for

2 *The Parliamentary HISTORY.*

An. 27. Car. I.⁶ for Advantage, without any Intention to acknow-
1645. ledge it in Deed.

July.

3. ' That the King would never have acknow-
' ledged the Parliament, if he had had but two
' Men to have stuck to him in denying it; himself
' being more ready to destroy the Parliament, and
' more violently bent against it, than his very Ox-
' ford Council.

4. ' That the Kingdoms and Parliaments could
' hardly expect, but with great Difficulty, to have
' Assurance to rest upon any Thing that the King
' declares, when his *public Declarations* are thus
' undermined by *private Acts* and *Registers*.

(N^o. 15.^a)

Oxford, Jan. 2, 1644.

As for my calling those at London a Parliament, I shall refer thee to Digby for particular Satisfaction; this in general, If there had been but two, besides myself, of my Opinion, I had not done it; and the Argument that prevailed with me was, That the Calling did no way acknowledge them to be a Parliament; upon which Condition and Construction I did it, and no otherwise, and accordingly it is register'd in the Council-Books, with the Council's unanimous Approbation; but thou wilt find that it was by Misfortune, not Neglect, that thou hast been no sooner advertised of it.

5. ' That the King endeavours to bring in a
' foreign Prince, of the *Romish* Religion, with an
' Army of Strangers, to invade this Kingdom,
' which the King and his Party hath solemnly pro-
' tested never to do.

6. ' That

* These *Extracts* are taken from the King's *Letters* at large, which were published by the special Order of Parliament, under the Title of *The King's Cabinet opened*; or certain *Packets of secret Letters and Papers*, written with the King's own Hand, and taken in his Cabinet at Naseby Field, June 14, 1645, by victorious Sir Thomas Fairfax; wherein many *Mysteries of State*, tending to the Justification of that Cause, for which Sir Thomas Fairfax join'd Battle that memorable Day, are clearly laid open; together with some *Annotations* thereupon. We find, upon Comparison, that they agree *verbatim* with the Copies thereof given in *Royston's Edition* of the King's *Works*; and the Numbers, prefix'd to these *Extracts*, refer to the Order in which they stand therein.

Of ENGLAND. 3

6. ' That the King and Queen expect Assist-
' ance in this Business, by Shipping, from the Prince
' of Orange, from whom, being a Protestant Prince,
' we had Reason to hope better.

An. 21. Car. I.

1645.

July.

(N^o. 32.) Oxford, March 30, 1645.

I must again tell thee, that most assuredly France will be the best Way for Transportation of the Duke of Lorrain's Army, there being divers fit and safe Places of landing for them upon the Western Coasts, besides the Ports under my Obedience, as Selsey near Chichester, and others, of which I will advertise thee when the Time comes.

(N^o. 26.) Oxford, Feb. 19, 1645.

Dear Heart, I cannot yet send thee any certain Word concerning the Issue of our Treaty; only the unreasonable Stubbornness of the Rebels gives daily less and less Hopes of any Accommodation this Way; wherefore I hope no Rumours shall hinder thee from hastening all thou mayst, all possible Assistance to me, and particularly that of the Duke of Lorrain's; concerning which I received, Yesterday, good News from Dr. Goffe, that the Prince of Orange will furnish Shipping for his Transportation; and that the rest of his Negotiation goes hopefully on.

7. ' That the Embargo of the Merchant Ships
' is a special Fruit of the Queen's Negotiation
' there, who useth Means to bring Enemies upon
' us, and to take Trade and Commerce from us.

8. ' That the King will make no Peace but
' such a one as shall invite the Queen's Return,
' with whom he hath concluded private Grounds
' and Instructions, according to which he will manage all Treaties.

(N^o. 26.) Oxford, Feb. 19, 1645.

Sabran^b sent me Word Yesterday, besides some Compliments, of the Embargo of the Rebels Ships in France, (which I likewise put upon thy Score of Kindness) but is well enough content that the Portugal should be charged with thy Dispatches. As for trusting the Rebels, either by going to London or

A 2

dis-

^b The French Resident in England.

4 *The Parliamentary HISTORY*

AN. 21. CAR. 1.

1645.

July.

disbanding my Army before a Peace, do no ways fear my hazarding so cheaply or foolishly; for I esteem the Interest thou hast in me at a far dearer Rate, and pretend to have a little more Wit (at least by the Sympathy that is betwixt us) than to put myself into the Reverence of perfidious Rebels.

(N^o. 24.)

Oxford, Feb. 15, 1644.

I assure thee that thou needst not doubt the Issue of this Treaty; for my Commissioners are so well chosen (though I say it) that they will neither be threatened nor disputed from the Grounds I have given them; which, upon my Word, is according to the little Note thou so well remembers. And in this not only their Obedience but their Judgments concur.

9. ' That he will be constant to the Bishops
' and his Friends, and not admit of Peace without
' putting a short Period to this perpetual Parlia-
' ment.

(N^o. 18.)

Oxford, Jan. 9, 1644.

The settling of Religion and the Militia are the first to be treated on; and be confident, that I will neither quit Episcopacy nor that Sword which God hath given into my Hands.

(N^o. 24.)

Oxford, Feb. 15, 1644.

There is little or no Appearance but that this Summer will be the hottest for War of any that hath been yet; and be confident that, in making Peace, I shall ever shew my Constancy in adhering to Bishops and all our Friends, and not forget to put a short Period to this perpetual Parliament. But, as thou loves me, let none persuade thee to slacken thine Assistance for him who is eternally thine. C. R.

10. ' That the King intends to take away all
' penal Laws against the Papists in England, by
' the Arms and Assistance of Papists, and in their
' Favour.

11. ' That the same Power that may take away
' these Laws, may take away all other Laws; and
' so, by Force, subject both Religion and Liberty

' to

OF ENGLAND. 5

to the Will and Pleasure of the King and Ro- An. 27. Car. I.
man Catholics. 1645.

(N^o. 28.) Oxford, March 5, 1644.

It being Presumption, and not Piety, so to trust to a good Cause, as not to use all lawful Means to maintain it, I have thought of one Means more to furnish thee with for my Assistance, than hitherto thou hast had: It is, that I give thee Power to promise, in my Name, to whom thou thinkest most fit, that I will take away all the Penal Laws against the Roman Catholics in England, as soon as God shall make me able to do it; so as by their Means, or in their Favours, I may have so powerful Assistance as may deserve so great a Favour, and enable me to do it.

July.

12. ' That they who have deserted their Trust
' in Parliament, and given up their Lives, For-
' tunes, and Consciences to a Compliance with
' the King, will be now despised by the Name of
' a base, mutinous, and mungrel Parliament, be-
' cause they yet retain'd a little Conscience of Re-
' ligious in this Parliament.'

(N^o. 29.) Oxford, March 13, 1644.

Dear Heart, what I told thee the last Week concerning a good Parting with our Lords and Commons here, was, on Monday last, handsomely performed; and now if I do any thing unhandsome or disadvantageous to myself or Friends, in order to a Treaty, it will be meerly my own Fault; for I confess, when I wrote last, I was in Fear to have been pressed to make some mean Overtures to renew the Treaty, knowing that there were great Labouring to that Purpose: But now I promise thee, if it be renewed, (which I believe will not, without some eminent good Success on my Side) it shall be to my Honour and Advantage, I being now as well freed from the Place of base and mutinous Motions (that is to say, our Mungrel Parliament here) as of the chief Cause, for whom I may justly expect to be chidden by thee, for having suffered thee to be vexed by them.

A 3

July

6 *The Parliamentary* HISTORY

An. 21. Car. I.
1645.

July,

Letters re-
lating to the
Rendition of
Carlisle to the
Parliament.

July 5. Several *Letters* are next entered in the *Journals*, concerning the Rendition of *Carlisle*, a Garrison of the King's, which had held out a long and tedious Siege against the *Scots* Army; but now, as they could expect no Relief from his Majesty, at last surrendered upon honourable Articles. This Frontier Town occasioned a Jealousy between the two Nations who were to be the Possessors of it. The Inhabitants of *Carlisle*, before the Surrender, made it one of their Terms, That an *English* Governor and Garrison should be put into it, and to which both Houses of Parliament consented; but the Town was no sooner given up than the *Scots* entered and took Possession of it, against all the Remonstrances that the Parliament's Commissioners for the Northern Counties could make to the contrary. This was the Occasion of the *Letters* before-mentioned being read in the House of Lords on this Day; but, as yet, no more Notice is taken of the Business.

July 7. A *Letter* from the *Scots* Generals was read in the House of Lords, directed as follows:

For the Right Honourable the Committee of both Kingdoms.

My Lords and Gentlemen,

WE have resolved, according to your Lordships Desire, to advance to Worcester, and are this Day to begin our March from hence, notwithstanding many Difficulties and Wants. Your Lordships will be particularly informed by our Commissioners, who are with you, concerning our Necessities, and the Supplies and Provisions which are desired; as also concerning the Necessity of a *Scots* Garrison and Governor in *Carlisle* for the Safety of your Borders, which we look upon as of such Consequence, as without it we can expect no better than that the malignant and disaffected Party in the Northern Counties of this Kingdom, and their Correspondents and Accomplices in the Kingdom of Scotland, co-operating together,

gether, will make such Commotions and Troubles An. 21. Car. 1.
upon the Borders, as will necessitate the States of 1645.
Scotland to recall this Army, or a Part thereof. July.
All which, together with some other Particulars, so
soon as they shall be represented to your Lordships by
our Commissioners upon the Place, we intreat and
expect from your Lordships, that you will improve
your Credit with the Honourable Houses of Parlia-
ment, that we may have such a satisfactory Answer
returned, as may be an Encouragement to this Army
in their Advance Southwards, and may entertain
mutual Trust and Confidence between the Kingdoms.
We remain,

Your Lordships most humble Servants,

LEVEN,
LOTHIAN,
HAMILTON.

Nottingham, July 1,
1645.

Another Paper, dated July 4, 1645, to desire
that Provisions be sent down to supply the Scots
Army.

WE are desired by the Committee of E- And the March
states for the Kingdom of Scotland, re- of the Scots Ar-
siding with the Scots Army, now on their March my to Worcester,
to Worcester, to represent, by your Lordships,
to the Honourable Houses of Parliament, the
Particulars following:

That a solid and effectual Course be taken for
the constant Payment of the Monies due for the
monthly Entertainment of the Army.

That, for the better managing of the War,
and that there may not be Want of Provisions
and other Necessaries for the Army, as formerly
there hath been, to the great Discouragement of
the Soldiers, and Prejudice of the Public Ser-
vice, a Committee be speedily sent from both
Houses, according to the Treaty, to reside with
the Army, authorized with Power for that Pur-
pose.

That

8 *The Parliamentary History*

An. 21. Car. I.

1645.

July.

‘ That Orders be sent to several Counties, to furnish Provisions and other Necessaries for the Army.

‘ That, lest the Armies should be reduced to Extremities for Want of their Pay, and the Country unwilling to afford them Provisions, the Committee have Power to cause to provide necessary Entertainment for the Army by Billet, Assessment, or otherwise.

‘ That, upon any necessary Occasion, some great Ordnance with their Furniture and Ammunition, and, for the present, 100 Barrels of Powder, with Match and Ball proportionable, be provided and sent to *Coventry* or *Warwick*.

‘ That Spades, Shovels, Mattocks, and other Materials, be in Readiness, upon all Occasions; for the Use of the Army; and a constant Number of Draughts to attend their marching and removing.

‘ That the additional Forces of Horse and Foot, so often promis’d, be condescended upon and made certain, to join presently and remain constantly with the Army; the Forces formerly designed not being, in Effect, the Number they were esteemed; and those few that were drawn together being returned to their several Garrisons, scarce a Strength sufficient to secure the Country from the Garrisons of *Newark* and other Places.

‘ That (the Enemy’s Strength consisting mostly in Horse) a competent Sum may be speedily provided out of the Arrears due to the Army, for the raising 1000 Horse; and that Pistols and Saddles be provided for those Horse, and sent speedily to the Army.

‘ That 500 Pair of Pistols be presently sent to the Army.

‘ That, in every County where the Army shall come, a Proportion of Horses may be afforded, upon reasonable Rates, to supply the Horses that shall fail upon Service, which is to be discounted out of the Arrears of the Army, and paid to the Owners of the Horses by the Parliament; which,

‘ as

as it is most necessary for the Service and keeping the Number of the Cavalry entire, so it will prevent the Prejudice and Complaint of the Country, for having their Horses taken without Satisfaction.

An. 21 Car. I.
1645.
July.

That since now the Scots Army, by whom the Northern Counties were reduced and kept in Obedience to the King and Parliament, is marched South, the Forces appointed by the Ordinance of Parliament may be speedily raised in the Northern Counties, and ordered to keep the Field, for the Security of the Northern Parts; lest the Malignants, joining with the King's Garriſons, raise new Forces, and strengthen themselves, to the spoiling and waſting of the Country, or ſending a Party to diſturb the Borders of Scotland: All which may now be prevented with greater Eaſe and Security than afterwards can be remedied; and, if neglected, may prove the loſing of the Northern Counties, and may occaſion the drawing back of the Scots Army; who, finding the North ſecured and the Borders of Scotland free of Danger, may, with the greater Confidence and Reſolution, proſecute the War in the South.

That ſpecial Care be had for ſecuring the City of York.

That four Troops from the Northern Forces be appointed to attend Colonel Walden, now Sheriff for the County of Northumberland, the General being to call away the four Troops of the Scots Cavalry that are with him for the preſent.

That Colonel-General Poyntz be deſired, by the Parliament, to hold Correſpondence with his Excellency the Earl of Leven.

That all Towns, Caſtles, Garriſons, Forts, Bridges, and Paſſes under the Power of the Parliament, where the Scots Army ſhall come, be patent to them; and the Governors and Commanders thereof, by Ordinance of Parliament,

10 The Parliamentary History

An. 22. Car. I.
1645.

July.

ment, be appointed and directed to assist and supply them upon all Occasions.

By Command of the Commissioners of the Parliament of Scotland.

July 4. 1645.

JOHN CHIESLY.

Another Letter from General Fairfax to the Committee of the two Kingdoms, was this Day read, giving an Account of a new independent Army, called *Club-Men*, raised of themselves, but grown at this Time to a very considerable Force, who seemed to threaten Mischief to both or either of the contending Parties as they saw Occasion: The Rise of them will be best understood by General Fairfax's Letter and its Consequences.

For the Right Honourable the COMMISSIONERS of both Kingdoms at *Derby-house*.

My Lords and Gentlemen,

General Fairfax's Letter concerning the Rising of the Club-Men in Wiltshire and Dorsetshire.

M^r former Letters acquainted your Lordships with my Resolutions to march Westward for the Relief of Taunton, in pursuance whereof I am advanced as far as Blandford. I could not hitherto give your Lordships an Account of the Condition of these Counties of Wilts and Dorset, in Arms under the Name of Club-men: They pretend only the Defence of themselves from Plunder, but not to side either with the King's Forces or the Parliament's, but to give free Quarter to both. The Heads of them are all, so far as I can learn, such as have either been in actual Service in the King's Army, or those that are known Favourers of that Party; nay, some having Commands at the present with the King. I hear they have drawn up certain Articles, whereunto they have subscribed for the managing and maintaining this new Party. They have drawn up Petitions, one to the King and the other to the Parliament, the Copies whereof I have herewith sent unto your Lordships. The Heads of them have had

had some Treaties with the Governors of the Gar-
 risons, both of King and Parliament, that lie nearest
 to them, and have agreed to pay Contribution to both:
 I hear 50 l. to Tolls-House, and the like to Lang-
 ford-House. They have appointed Treasurers of
 their own for the receiving and paying of the same,
 and the Garrisons, in consideration hereof, are not to
 raise Contributions to themselves.

An. 21. Car. I.

1645.

July.

I have sent your Lordships one of their War-
 rants for raising of Money, and paying it to Mr.
 Holles of Salisbury, who is one of their Heads for
 that Purpose. They give Passes to some of their
 Party, whom they call Associates, to pass freely in
 the Country without Molestation. They insist them-
 selves under several Officers, and meet daily in great
 Bodies at their Rendezvous, and boast they can have
 20,000 Men at twenty-four Hours Warning.
 For assembling them together, their Heads send out
 to several Towns, and by ringing of Bells, and send-
 ing of Posts from one Rendezvous to another in the
 several Towns and Hundreds, they draw into
 great Bodies; and, for Distinction of themselves
 from other Men, they wear white Ribbons, to shew,
 as they say, they are desirous of Peace. They meet
 with Drums, flying Colours; and, for Arms, they
 have Muskets, (some, I hear, have been sent them
 from Sherborne) Fowling Pieces, Pikes, Halberts,
 great Clubs, and such like. They take upon them
 to interpose between the Garrisons on either Side;
 and when any of their Forces meet in Places where
 they have sufficient Power, as Salisbury and the like,
 they will not suffer them to fight, but make them
 drink together, and so make them depart to their se-
 veral Garrisons. They have come into our Horse-
 Quarters, and steal Horses where they find them at
 Grass, and carry them into the Woods. They will
 obey no Warrants, no further than they are com-
 pelled, for sending in of Provisions for the Army, or
 Draughts for the Carriages, in these two Counties.
 They are abundantly more affected to the Enemy
 than to the Parliament, and publicly declare what-
 soever

12 *The Parliamentary History*

An. 22. Car. I.
1645.

July.

soever Party falls on them they will join with the other; and those of the Inhabitants of these Counties, who are really affected to the Parliament, that do not join with them, are daily threatened by them, and suspect the Issue of it will be very mischievous.

I have the Enemy before me, towards whom I am advancing with all Expedition, and these Men, who are very numerous, and acted by Men so dangerous, as for the most part their Leaders are, I know not what they may attempt; I therefore desire your Lordships Advice in this Business, being uncertain what to do before I hear from you.

I am careful to prevent any just Cause of Clamour from the Country, through any Disorders of the Army, and hope there will be Care taken for the sending Money to us, that they may be able to give Contentment to the People, by discharging their Quarters: But I don't at all doubt that, if some speedy Course were taken for the quieting or suppressing them, it would be no hard Work; but I know not what it may prove in Time. I find them generally very confident of their Cause and Party, and if hereafter they should presume to give Laws to the Armies, as they do to the Garrisons, it may be of evil Consequence.

For the present I shall offer to your Lordships the commanding of Colonel Fiennes's and Colonel Norton's Regiments of Horse into these Parts; who, with the Assistance of Colonel Ludlow, Sheriff of Wilts, and the Garrisons in these Parts may be able, at least, to keep them from drawing into any great Bodies, to the Disturbance of the Country.

I desire your Lordships speedy Answer, and remain

Blandford, July 3, Your Lordships
1645.

Most humble Servant,

THOMAS FAIRFAX.

There was also read a *Warrant* of the Clubmen, under the Hands of Thomas Bennet, Thomas Holles,

Holles, Thomas Rose, William Gould, Matthew Mervin, sent to the Tything-men of Ebbesbourne. An. 21. Car. I. 1645.

July.

CHALKE ' **W** Hereas several *Petitions* for
Hundred. ' *Peace* are intended to be a- Their Warrant
' greed upon by the Inhabitants of this County of for raising Mo-
' *Wilts*, and to be presented, the one to his Ma- ney.
' jesty, and the other to the Houses of Parliament,
' it was thought fit by divers Gentlemen and o-
' thers, Inhabitants of the Division of *Sarum*, who
' are already agreed and enter'd into an Associa-
' tion concerning the same, that during such Time
' as the said *Petition* shall remain unanswered, a
' speedy Course should be taken by way of *Treaty*
' between the said Gentlemen and Inhabitants of
' the said Division, and the Commanders of the
' several Garrisons of *Langford* and *Fallersdowne*, as
' well for Peace and Safety of the Inhabitants of the
' aforesaid Division, and others who are charged
' by way of Contribution, or otherwise charged
' or molested by either of the two Garrisons, as
' also for the necessary Subsistence of the said Gar-
' risons; upon Notice whereof divers Gentlemen
' and Inhabitants of the said Division did meet,
' with the Commanders of the several Garrisons
' of *Sarum*, the 13th of this Instant *June*, and there
' did conclude upon certain Articles, both for the
' Peace and Safety of the County, and the Sub-
' sistence and Maintenance of the two Garrisons,
' as may appear under the Hands of the Gentle-
' mien and Inhabitants of the said Division and
' Commanders of the said Garrisons, together
' with a Confirmation under the Hands of the
' Committee then at *Fallersdowne*, in the Behalf
' of that Garrison: Therefore you the Inhabitants
' of the Parish of *Ebbesbourne-Wake*, are desired, by
' the Gentlemen whose Names are here subscribed,
' to pay, or cause to be paid, to the sworn Con-
' stable of the Hundred, the Sum of 2*l.* 18*s.* 4½*d.*
' at or before the 21st Instant, being for one
' whole Week last past, whereby the Constable
' may return and pay the same to *John Holles*
' of

14 *The Parliamentary HISTORY*

An. 21. Car. I.

1645.

July.

of *New-Sarum*, Gent. who is deputed by the
Gentlemen and Inhabitants to receive the same;
to the Intent to discharge the Payments promised
to the Garrisons, and for the same to be account-
able, when he shall be thereunto required, and
upon Account to pay the Remainder of his Re-
ceipts, if any such shall be, unto such as he shall
be ordered therein: And you are likewise to re-
turn the several Names of every Person, who
stands charged therewith within your Tything,
together with the particular Sum of every such
Person so taxed, and who they are, in your
Tything, that refuse or neglect to pay the same.

Your Friends,

*To the Tything-Men
of Ebbesborne,
SIMON WHITE,
Constable.*

THOMAS BENNETT,
THOMAS HOLLES,
THOMAS ROSE,
WILLIAM GOULD,
MATHEW MERVIN,

‘It is conceived the Payment henceforward will
not amount to so great a Proportion.’

Next the Examination of *Christopher Dale* of
Salisbury was read, concerning the *Club-Men*.

An Examination
taken relating to
them,

CHRISTOPHER Dale of *Salisbury*, examined, saith,
That, when he was taken Yesterday, at
Salisbury Town-End, by a Soldier of this Army,
upon Suspicion of being a Spy, he was then re-
turning home to *Salisbury* from *Wincanton*, to-
gether with some Butchers of that Town, with
whom he went there to have his Mare restored
unto him, and was then bringing her home to
Salisbury. He denieth that he came purposely
to view the Army, or went out of his Way be-
tween *Wincanton* and *Salisbury* to view the same;
but it fortuned that as he was on his Journey the
Army marched cross that Way, and he kept on
his Way thro’ the Army, making no Stay to
observe it. He acknowledged, That heretofore
he

he bore Arms for the King, and served as a Quarter-Master under Col. *Bampfild* of the Enemy's Party: But saith, That he laid down his Arms about three Quarters of a Year ago, and hath never since served on either Side. But he further saith, of late he hath associated himself with those they called *Club-men* of *Salisbury*; that he knoweth no other End of that Association but to defend themselves and their Goods against all Plunderers; but not to oppose either Army: That for the Town of *Salisbury*, there are chosen sixteen Men, viz. Four out of every Parish, to be their Leaders, to guide and direct; as, namely, Mr. *Hancock*, Mr. *Oviat*, Mr. *Edmunds*, and Mr. *Green*, for St. *Thomas's* Parish; Mr. *Jay*, Mr. *Hancock*, Brewer, Mr. *Laws*, and Mr. *Hollis*, sen. for St. *Edmund's* Parish; Dr. *Hales*, Physician, Mr. *Batt*, Mr. *Payne*, and Mr. *Bee*, for St. *Martin's* Parish; Mr. *Thorpe*, Mr. *Thacker*, Mr. *Hollis*, jun. and — for *Fisherton* Parish; and Mr. *Hollis* is Chief over all. He conceiveth that about *Salisbury* there are near 700 *Club-men*, which at several Times appeared; but he conceiveth that there are more that are associated. That he believes the Town is able to furnish these *Club-men* with Arms, viz. some with Pikes and Musquets, and others with Carbines and Pistols; but he thinketh that there is the like Association of *Club-men* all over the County of *Wilts*, and that divers Gentlemen, in their several Parishes, do appear to conduct; but he can certainly name none but Mr. Justice *Bennet*, Mr. *Gold*, Mr. *Ashton*, and Mr. *Edward Topp*. That they have met at several Rendezvous; that he was present at one Rendezvous at *Groveley*, where he met the *Club-men* of *Salisbury*, with some other *Club-men* of Part of that County; and at that Time there appeared about 4000, as was generally said and believed: And besides this Rendezvous, there were kept other Rendezvous for other Parts of the County, viz. *Warminster*, *Stonage*, *White-Parish*

An. 21. Car. 1.

1645.

July.

16 *The Parliamentary History*

AN. 21. CAR. I.
1645.

July.

Parish, and *Uphaven*; but what Number there met at this Rendezvous he knoweth not.—
That at the Rendezvous where he met at *Groveley*, there were certain Articles read and proposed to them, which they all assented to, by giving a Shout; but what the Effect of those Articles were, more than to defend themselves against Plunderers, he cannot tell; but it was then said, they were to be sent both to King and Parliament to see how they would like them. And, two or three Days afterwards, some of the Garrisons of *Forceley* and *Langford* met at *Salisbury* with the *Club-men*, upon the Invitation of the *Club-men*, when and where the said Articles were again proposed, as he hath been informed; and thereupon, in the Conclusion, it was agreed, that the *Club-men* should give 50 *l.* a Week to each Garrison, untill the King and Parliament had given Answer to their Articles.

CHRISTOPHER DALE.

Examinat. coram me,

July 2, 1645.

J. MILES, *Advocate.*

Also a Copy of the *Petition* of the *Club-men* was read, directed to the King, for *Peace*, &c.

To the KING's Most Excellent Majesty,

The HUMBLE APPLICATION of your most loyal and obedient Subjects, the distressed Protestants, inhabiting the Counties of Dorset and Wilts,

Sheweth,

And their Petition to the King.

THAT your Suppliants having, more deeply than any other Parts of this Kingdom, tasted the Miseries of this unnatural and intestine War, which hath been the more extremely imbibtered unto them by the Pressures of many Garrisons both here and in the neighbouring Counties, and the opposite Armies continually drawn upon them by reason thereof, did lately hope that, by Means of the *Treaty* proposed by
your

your Majesty to the Honourable Houses of Parliament at *Uxbridge*, they might once again have reaped the blessed Issue of their long-lost Peace, in the happy Accommodation of the present Differences, without further Effusion of Christian Blood; but finding themselves utterly fallen from those Hopes, and so too justly fearing that the Extremity of these Calamities, which the Continuance of this bloody War is likely to produce, will daily grow more insupportable, unless our unchristian Divisions may timely be prevented by some sudden Accommodation, they do here first and freely acknowledge, with Sorrow and Shame, before God and Man, That as it was their extreme Ingratitude, with the Disesteem and Abuse of their former Peace, which justly bereft them of that inestimable Blessing; so it is their manifold Unworthiness which yet with-holds it from them; and therefore, in Submission to the Disposition of the Divine Clemency, they cease not heartily to pray that God, in good Time, would graciously answer the incessant Applications of his Church with a blessed Restoration of her and their Peace. And that they be not wanting to themselves in the Search and Pursuance of those Means which may procure such a happy Restitution, they likewise cast themselves at your Majesty's Royal Feet, humbly imploring you to lend a gracious Ear to a farther *Treaty for Peace*, if it shall be proffered to your Majesty by the two Houses of Parliament; for Proposal whereof your Petitioners have made the like Address to them, that such a firm *Peace* may once again be established amongst us, that may prove for the Advancement of God's Glory, in the Maintenance of the true Reformed Protestant Religion; for the Safeguard of your Majesty's Royal Person, Honour, and Estate; for Security of the Privileges and Immunities of the Parliament; and for the Preservation of the Liberties and Properties of the Subject; all which they conceive to be the four main Articles of that

An. 21. Car. 1.

1645.

July.

‘ general *Protestation* to which the Body of this
 ‘ Kingdom have formerly sworn : And although
 ‘ they dare not presume to intermit themselves into
 ‘ the Debate of those two great Mysteries of State,
 ‘ concerning the Prerogatives inseparable from
 ‘ your Majesty’s Royal Person and Power, and
 ‘ the just Privileges of Parliament, both of which
 ‘ are left to their Prayers, only for a wished Deter-
 ‘ mination and a happy Composition of them ;
 ‘ yet they find themselves bound in Conscience,
 ‘ first, and chiefly, as Christians, to maintain and
 ‘ advance, with the utmost Hazard of their Lives
 ‘ and Fortunes, the true Reformed Protestant Reli-
 ‘ gion ; and next, as free-born *Englishmen*, not
 ‘ degenerate from the Virtues of their Fathers, by
 ‘ all possible and lawful Means to preserve and
 ‘ uphold the native Inheritance of their Laws,
 ‘ their Liberties and Properties, which they equally
 ‘ hold in Esteem even with Life itself.

‘ And the said Petitioners do likewise humbly
 ‘ pray, That, in case such a *Treaty* may be mutu-
 ‘ ally and unfeignedly admitted, your Majesty, for
 ‘ your Part, would once again be graciously plea-
 ‘ sed to press the Cessation of Arms during the said
 ‘ *Treaty*, that the two Houses of Parliament may be
 ‘ induced to do the same, that a *Treaty for Peace*
 ‘ may not proceed in Blood : And because your
 ‘ Petitioners are no longer able to subsist under the
 ‘ impossible Observance of so many contrary Com-
 ‘ mands of so many Garrisons and several Armies,
 ‘ (who, under Pretence of Contribution, and by im-
 ‘ measurable Taxes, continual free Quarter, and
 ‘ incessant Plunderings, contrary to your Majesty’s
 ‘ *Proclamation* in that Behalf, have scarcely left
 ‘ your poor Suppliants sufficient for the Support of
 ‘ Life) they do most humbly beseech your most
 ‘ Sacred Majesty, that, out of your Royal Cle-
 ‘ mency, whereby you were wont to resent the
 ‘ Misery of your poor distressed Subjects, you
 ‘ would be graciously pleased that the Number of
 ‘ your Garrisons in these Counties may be lessened,
 ‘ in case the two Houses of Parliament shall, upon
 ‘ your

your Subjects Petition to them in that Behalf, do AN. 21. CAR. I.

the like with the Garrisons in their Hands; and

that all such your Garrisons as shall seem neces-

sary to be upheld within these Counties for the

Defence thereof, may be intrusted in the Hands of

the said Counties, to be maintained at the Charge

of the Inhabitants thereof; and not to be delivered

up by them to any Persons, but such only as, by

the joint Consent of your Majesty and the two

Houses of Parliament, shall be authorized to re-

ceive the same. And they most humbly pray,

That, during their Service in maintaining the Gar-

risons, your Majesty would be graciously pleased

to free the said Inhabitants from all Manner of

Payments, and all other incumbent Charges,

save only the necessary Quarter of your Majesty's

Armies in their March towards other Parts: And

because many dissolute Persons, taking Advan-

tage of these distempered Times, and of the

Abatement of the Edge of Justice, do, without

Restraint, commit many heinous Offences, to

the great Dishonour of Almighty God, and a

Scandal to your Royal Government established

by the Laws of this Realm, they further humbly

pray, That all Acts of Parliament, unrepealed

and yet in Force against such Offenders, may be

presently put into Execution by such Officers as

the same Acts enable thereunto, without any

Disturbance in the Execution thereof: And

that all such Persons as either are or have been in

Arms, or otherwise assistant to either Party in

this unhappy War, who, for Fear, have absented

themselves from the Places of their usual Abode,

or are imprisoned only as Favourers of the other

Party, may be peaceably permitted to return to

their wonted Homes and Habitations, and to the

Obedience of the established Laws.

And your said Petitioners humbly desire your

gracious Majesty to understand, that their fre-

quent Meetings have been hitherto, as appears,

for no other End, save only for Opportunity,

jointly, to present their great Grievances by

An. 21. Car. I.
1645.

July.

‘ this innocent and humble Way of petitioning ;
‘ and to unite themselves as, by the Purport of the
‘ *Protestation* and your Majesty’s *Proclamation* in
‘ their Behalf, they humbly conceive they law-
‘ fully may do, for the Maintenance of their Reli-
‘ gion, Laws, Liberties, and Properties, against
‘ all unlawful Violence and Plundering whatsoever,
‘ untill it shall please Almighty God to put an End
‘ to these sad Distractions.

‘ In the last Place, for the Prevention of all
‘ Misunderstandings, and for the fuller Expression
‘ of their peaceable Intentions, in whatsoever may
‘ be required of them as touching the Premises,
‘ they humbly beseech your gracious Majesty, that
‘ they may have your Majesty’s Warrant for the
‘ safe Intercourse of those who shall be employed
‘ by them in this Address to your Sacred Majesty.’

The like *Petition* to the Parliament, from the
Club-men, *mutatis mutandis*, is entered in the *Lords*
Journals; the Consequences of which will shortly
appear.

The Lords were inform’d, That there were no
Officers in all the *Northern* Association that have
Commissions, except only Col. *Poyntz*, nor can
have any untill the major Part of that Committee
meet, which consists of many Gentlemen of the se-
veral Counties ; and that, for want of such Com-
missions, those Forces are not in a Condition to
act upon any Occasion or Emergency ; and there-
fore to desire their Lordships to consider of some
Expedient for the Supply of that Defect.

Ordered, That all these Papers, now reported,
shall be communicated to the House of Commons ;
and, accordingly, they were sent down to the
House of Commons by Mr. Serjeant *Finch* and
Mr. *Page*.

Nothing now occurs for some Time in the *Jour-
nals*, except we mention some Overtures of the
Scots Commissioners for more Provision of Money
to be sent to their Army ; and an Account of an-
other

Of ENGLAND. 21

other Victory gained by General *Fairfax* against the Lord *Goring*, at *Langport*, in *Somersetshire*, for which another Day of Thanksgiving was appointed.

An. 21. Car. 1.

1645.

July.

July 15. A Letter from General *Fairfax* was read to the Lords, containing a short Account of the foregoing Action.

To the Right Honourable the Lord GREY of *Wark*, Speaker of the House of PEERS.

My Lord,

*I*t pleased God, on Thursday last, by this Army, to give General *Goring* a Defeat. After he retired from *Taunton* he lay with his Army at *Langport*; where, with the Advantage of the River and several Garrisons that lay upon it, he put us to great Straits to find a Way how to engage with him; tho' he had great Advantages of Passes, yet his Over-confidence in them proved rather ours than his: Whilst he sent away his Ordnance and Carriages to *Bridgewater*, he fronted us with his Army, and passed 1000 Musqueteers thro' a narrow Valley that was betwixt us; but we forced them to retreat with ours, and the Horse seconded them and put the Army into Rout, pursuing them almost into *Bridgewater*. Two Thousand taken Prisoners, few slain. We also have taken good Store of Arms, two Pieces of Ordnance, with many Colours both of Horse and Foot. We are marching to *Bridgewater*, and shall make the best Use we can of this good Success God hath given us.

I desire your Lordship's Pardon for this short Relation. This Bearer, Major *Harrison*, can satisfy your Lordship more fully in Particulars, so take Leave to remain

Your Lordship's

Chedsoy, July 11,
1645.

most humble Servant,
THOMAS FAIRFAX.

Next Major *Harrison* was called in, and made a Narrative of the whole Affair. Hereupon the

22 *The Parliamentary* HISTORY

AN. 21. CAR. I.

1645.

July.

Lords gave him Thanks for his good Service done in this Business, and ordered that the Speaker do write a *Letter* to Sir *Thomas Fairfax* from that House, to congratulate his good Success in the late Victory, and to give him Thanks for his great Vigilancy in the Carriage of this Action.

Mr. Cranford fined by the Commons, for aspersing several of their Members;

July 18. The Commons, by a Committee, had been all this Time in Examination of the Business, relating to what Mr. *Cranford* had declared, concerning the Defection of some of their Members^a; and unanimously resolved, That the said Report was false and scandalous: That the Words he had spoken against Mr. *Crewe*, Mr. *Pierpoint*, Mr. Solicitor *St. John*, and Sir *Henry Vane*, jun. were also false and scandalous: That he should pay to each of the said Gentlemen the Sum of 500*l.* as Damages, for their Reparation: That he should make an Acknowledgment for his Offence, and express his Sorrow for the same, at the Bar of the House of Commons; and that he should be committed Prisoner to the *Tower* during the Pleasure of the House.

Lord Saville's Charge against others dismissed.

The next Day, July 19, the Commons proceeded upon the Report concerning Lord *Saville's* Paper, wherein Mr. *Holles* and Mr. *Whitlocke* were taxed with Treachery, when they acted as the Parliament's Commissioners at *Oxford*, and agreed that it should be finally laid aside: But, at the same Time, it was ordered, That those Gentlemen might prosecute the Lord *Saville* if they thought fit.—Mr. *Holles* and Mr. *Whitlocke* being extremely particular in their respective Narratives of this Business, we shall pass it by with a Reference to their *Memorials*.^b

Nothing worth Notice, either Civil or Military, relating to these Inquiries, occurring in the Transactions of this Month, we subjoin an Extract from the *Lords Journals*, of July 23, of a Complaint

^a See before, in Vol. XIII. p. 425, 499, &c.

^b *Holles's Memoirs*, p. 38, *Whitlocke*, p. 148, et ultra.

plaint made, by the Assembly of Divines, against a blasphemous Book lately published. That House censured it to be burnt by the Hands of the common Hangman, and ordered the Assembly to draw up a Detestation against such Blasphemies; a Copy whereof here follows :

An. 27. Car. I.

1645.

July.

‘ **A** S it hath pleased the Honourable Houses of Parliament, out of their pious Care for preserving Religion pure from the Leaven of pernicious and blasphemous Doctrine, to order the Burning of this most scandalous Book; so have they farther ordered us to declare the Abominableness thereof unto the People; and we doubt not but every good Christian, as soon as he shall hear the Scope and Contents of it, will, together with us, detest the horrid Blasphemy therein asserted; and acknowledge the godly Zeal, Wisdom, and Justice of that Authority, in commanding it, as an execrable Thing, to be taken away, that it may not remain amongst us to provoke God’s Wrath, and produce such perilous and pernicious Fruits, whereby the Souls of many may be corrupted to their everlasting Destruction: For whereas that most vile and blasphemous Assertion, whereby God is avowed to be the Author of Sin, hath hitherto, by the general Consent of Christian Teachers and Writers, both antient and modern, and these as well Papists as Protestants, been not only disclaimed, but even detested and abhorred; yet, in this Book, it is not loosely intimated, or occasionally hinted, or inconsiderately or through Inadvertency stumbled upon, but openly and in expresse Terms, and in a very foul Manner, propounded and maintained purposely at large, and prosecuted, in the following Passages, viz.

Page 35. *That God is the Author of, and hath an Hand in, the Sinfulness of his People.*

Page 36. *That he is the Author, not of those Actions alone in which Sin is, but of the very Pravity*

24 The Parliamentary HISTORY

An, 21. Car. 1.
1645.

July.

1. *Pravity of Ataxy, Anomy, Irregularity, and Sinfulness itself which is in them.*

Page 37. *That God hath more Hand in Men's Sinfulness than they themselves.*

Page 38. *That the Creature's Sin doth produce the greatest Good, either in God's Glory or in the Creature's Happiness, as the next Cause thereof; and that all that Good is only brought about by Sin.*

Page 39. *That it is as incongruous and inconvenient to make God the Author of the Afflictions of his Creatures as of their Sins.*

Page 48. *That by Sin Believers are as much nurtured and fitted for Heaven as by any Thing else.*

Page 49. *That God fits Believers for his Service in this World by leading them into Sin.*

Page 52. *That no Course is so ready to remove or prevent sinful or pernicious Trouble for Sin, as this looking upon God as the Author of it, and the Good which he brings about by it; ' which, because it is ' rarely done by Believers, and indeed hardly ' known, he therefore professeth to have enlarged ' himself upon it, and in these and many other ' like Terms hath set forth this blasphemous Doctrine : And further he condemneth our Orthodox ' Writers, for that they have only granted, that ' God is willing Sin should be, and that he permits it, and orders Circumstances about its Production, and over-rules it, and hath an Hand in ' it, and is the Author of the physical or moral ' Act in and with which Sin is; saying, That they ' have herein erred on the other Hand, and made ' Sin more of the Creature and itself less from God ' than it is.*

' Besides, the main Scope of the Book is to ' persuade Men not to be oppressed or perplexed ' in Heart by any Thing whatsoever that befalls ' them, either in Sin or Affliction, as if our Saviour, when he saith, *Let not your Hearts be ' troubled,* (for that is the Ground upon which he ' builds) had intended to dehort his Disciples from ' being

being troubled for their Sins: Very great is both the Danger and Scandal which would from such a detestable Position as this arise, if it should be suffered, without Controul, to be published and dispersed abroad; especially in such a Time as this, when, on the one Hand, Multitudes make use of the specious Name of Liberty for a Cloak of Naughtiness, and of admitting and professing many perverse and corrupt Opinions, exceeding contrary to the Gospel of Christ and to the Power of Godliness; and, on the other Hand, many watch for our Halting, and glory in nothing more against us, than in those Advantages which the Weakness and Instability of such as are carried about with every Wind of Doctrine, and are not settled and rooted in the Truth, doth most unhappily minister unto them; to the unspeakable Prejudice of the Church of Christ, and obstructing that blessed Reformation, which is, by all good Men, so earnestly desired.

Exceeding dangerous it is unto the Souls of Men, both as a Means to instill into them Blasphemies and impure Conceits of the Majesty of our most holy God, as also by working them to a slighting or disregarding of Sin, and consequently letting loose the Reins to all corrupt and licentious Living; for by how much the less the Trouble is after Sin committed, by so much the greater usually is the Boldness of the Commission of it; and, by the Scandal hence arising, is every whit as great in regard of the Offence which is hereby given unto the Reformed Churches; who, in their public Confessions, make Satan and Man himself the only Causes and Authors of Sin; and some of them do, in those Confessions, by Name damn this wicked Position; and also in regard of the great Advantages that it gives our common Adversary the Papists, who have hitherto, calumniously only, charged the Doctrine of the Reformed Churches with so odious a Crime; in the mean Time confessing

An. 21. Car. I.

1645.

July.

An. 21. Car. 1.

1645.

July.

‘ fessing, that we do, in Words, deny it, as well as
 ‘ they themselves; whereas, should this Book be
 ‘ tolerated, they might justly insult over us, and
 ‘ publish to the World, that now, in the Church
 ‘ of *England*, it was openly and impurely main-
 ‘ tained, *That God is the Author of Sin*; than
 ‘ which there is not any one Point whereby they
 ‘ labour, in their Sermons and popular Orations,
 ‘ to cast a greater Odium, tho’ most injuriously,
 ‘ upon the Reformed Churches.

‘ And albeit the Person named to be the Au-
 ‘ thor of this Book hath been of good Estimation
 ‘ for Learning and Piety; yet since, if any too
 ‘ deeply wound the Honour and Truth of God,
 ‘ we ought not at all to be by any such Consi-
 ‘ deration with-held from declaring our just De-
 ‘ testation of so odious a Book; *for if any Man,*
 ‘ *yea if an Angel from Heaven preach any Thing*
 ‘ *contrary to the Gospel of Christ*, the Apostle is not
 ‘ afraid to pronounce him *accursed*; and indeed
 ‘ it is a very dangerous Thing, and so much the
 ‘ more dangerous by how much the more ordi-
 ‘ nary and usual, to take up new and corrupt O-
 ‘ pinions upon Trust only, on this Inducement,
 ‘ a Persuasion which we have of the Sanctity of
 ‘ those Persons which are the Authors of them;
 ‘ *for we ought to try the Spirits whether they be*
 ‘ *of God, and to search the Scriptures whether the*
 ‘ *Things taught us be so or no; and having tried*
 ‘ *all Things, to hold fast that which is good*; and,
 ‘ upon no Pretence whatsoever, to depart from the
 ‘ Form of sound Words delivered unto us in the
 ‘ Scriptures; or, for the Reverence or Estimation
 ‘ of any Man’s Person, to entertain any such Opi-
 ‘ nions as do, in the very Words of them, asperse
 ‘ the Honour and Holiness of God, and are by all
 ‘ the Churches of Christ rejected; and therefore
 ‘ most justly hath Authority appointed Execution
 ‘ to be done in this Manner upon this Book.

HENRY ROBOROUGH, }
 ADONIRAM BYFIELD, } *Scribae.*

The

The King's younger Children had been kept at *An. 21. Car. 1.*
St. James's Palace ever since his Majesty left *London*, under the Care and Direction of such Officers, Chaplains, and Servants as the Parliament thought fit to put over them: And about this Time it was, that the Earl of *Northumberland* and his Lady were intrusted with the Care of their Maintenance and Education, and had a Pension of 3000 *l.* a Year allowed them for that Service. This was given the Earl, as the *Ordinance* expresses, in Recompence of the great Losses he had sustained, during this War, in the several Estates belonging to that great and opulent Earldom.

1645.

July.

Soon after, the Parliament assigned 5000 *l.* a Year for the Support and Maintenance of the Royal Children, and their Family, in an honourable Way. *The Parliament assign 5000 *l.* per An. for maintaining the King's younger Children.*

July 24. The Houses were informed that *Bridgewater* was taken, with 2000 Prisoners, 800 Horse, and 36 Pieces of Cannon: Also that *Pontfretre* Castle was surrendered to their Forces. The Stewardship of which, an Appendage to the Duchy of *Lancaster*, was given to the Lord *Fairfax*, and the Government of the Castle to his Son the General. The Attack and Storm of *Bridgewater* is best expressed in this General's own Letter. *Bridgewater and Pontfretre surrendered to the Parliament's Forces.*

For the Right Honourable the Lord GREY of *Wark*, Speaker of the House of PEERS *pro Tempore.*

My Lord,

I Dispatched hence, Yesterday, Letters to the Committees of both Kingdoms, which gave some Account of God's Blessing upon our Endeavours in the Storm of *Bridgewater*. On Monday Morning last we gained that Part of the Town which lies on this Side of the River, and therein above 600 Prisoners, divers Officers of Quality, and two Pieces of Ordnance. The Enemy fired that Part of the Town wherein we were, immediately after our Entrance, which
con-

28 *The Parliamentary* HISTORY

An. 21. Car. I. continued all that Day and the next Night, burning down all the Houses, except two or three. Yesterday, perceiving an obstinate Resolution in the Enemy not to yeild the Town, I was forced to use those Extremities for the Reducing of it, which brought them immediately to a Parley, and, in short, to yeild the Town upon no other Terms than bare Quarter. We entered the Town this Day, finding great Stores of Arms and Ammunition, 36 Pieces of Ordnance, above 1000 Prisoners, amongst them divers Persons of great Quality, whereof Mr. Peters can give you an Account. I have disposed of the Command of the Town, for the present, to Col. Birch, wherein I doubt not of your Lordships and the House of Commons Approbation. I remain,

My Lord,

July 23, 1645,
8 at Night.

Your Lordship's

Most humble Servant,

THOMAS FAIRFAX.

The Success of
the Scots Army
in Herefordshire.

July 28. A long Letter from General Lesley, was read, giving an Account of the storming and taking the House or Castle of Cannon-Froome, in Herefordshire, by the Scots; with many Complaints in it of want of Provision and Carriages for their Army, which the Country were unwilling to get them, and the Parliament's Commissioners in those Parts did not assist them with. The Lords ordered, That this Matter be taken into Consideration. But the House of Commons voted a Jewel of 500*l*. Price to be presented to this General, who was Brother to the Earl of Leven, for this and other good Services to the Parliament.

The Instructions agreed upon by Consent of Parliament, for Commissioners to be sent to reside in the Scots Army, for the better carrying on of the War, and managing the Affairs of that Army, were these :

IN-

INSTRUCTIONS for^c, and Edward Lord An. 21. Car. I.
 Montagu, Sir John Corbett, Bart. Humphrey 1645.
 Sallwey, Esq; Col. William Purefoy, and Ed-
 ward Baynton, Esq; July.

‘ **W**HEREAS, by several *Treaties* agreed be- Instructions for
 ‘ tween the two Kingdoms, divers Things the English Com-
 ‘ are to be performed and done by the joint Advice missioners ap-
 ‘ of both Kingdoms, or their Committees there- pointed to reside
 ‘ unto authorized, which cannot be so well trans- with that Army.
 ‘ acted but by those upon the Place: You, or any
 ‘ three of you, have therefore hereby full Power
 ‘ and Authority given you to go to the Scots Army
 ‘ now in *England*; and to advise, debate, and con-
 ‘ clude, with our Brethren of *Scotland*, or such as
 ‘ shall be authorized by them thereunto; and, by
 ‘ joint Advice with them, to put in Execution all
 ‘ such Matters and Things concerning the well
 ‘ Ordering, Directing, and Disposal of the Forces
 ‘ brought in and employed by them for our Assist-
 ‘ ance, as shall be found requisite and needful,
 ‘ from Time to Time, for the Prosecution of this
 ‘ Cause, and the Ends expressed in the *Covenant*.

‘ You shall do your utmost Endeavour that the
 ‘ Enemy be vigorously prosecuted, and all Advan-
 ‘ tages taken, for the speedy Ending of this War.

‘ You are to do your utmost Endeavours for the
 ‘ continuing a good Correspondency between the
 ‘ two Kingdoms, and their Forces.

‘ You are to acquaint them with the great
 ‘ Straits we are in for want of Money; and that
 ‘ whatsoever Failing of Payments, according to the
 ‘ *Treaty*, have been from hence, have not proceed-
 ‘ ed from any Want of Affection, or Intention to
 ‘ make good our Engagements.

‘ You are to acquaint them, That a weekly As-
 ‘ sessment is made for the Maintenance of their
 ‘ Army; and that Care is taken for the speedy
 ‘ Payment thereof.

‘ That there may be no Want of Provisions,
 ‘ and other Necessaries, for the Army, you are
 ‘ here-

An. 21. Car. 1.

1645.

July.

‘ hereby authorized to send Warrants, under the
 ‘ Hands of you, or any three of you, to the Coun-
 ‘ ties of *Hereford, Monmouth, Worcester, Glä-*
 ‘ *morgan*, or any other Counties where the *Scots*
 ‘ Armies shall march, or adjacent Counties, as you
 ‘ shall think fit, for the furnishing Provisions, and
 ‘ other Necessaries, for that Army.

‘ And you are to call to your Assistance, and to
 ‘ name and authorize, such Gentlemen and others
 ‘ in the aforesaid Counties, and such other Coun-
 ‘ ties where that Army shall march, as you shall
 ‘ think fit, to be such Committees for the better
 ‘ putting of this *Instruction* in due Execution: And
 ‘ the Committees in the said several Counties are
 ‘ hereby required to be, from Time to Time, aid-
 ‘ ing and assisting to you herein.

‘ You are to endeavour, That all Provisions, or
 ‘ other Necessaries, provided by your Care, be so
 ‘ ordered, that Account may be made what is ta-
 ‘ ken; and that the said Provisions may be dis-
 ‘ counted upon the Pay of the said Army.

‘ You are hereby likewise authorized, as you
 ‘ may see Cause, to help the *Scots* Army with Re-
 ‘ cruits of such Horses, upon Account, as shall be
 ‘ lost in the Service.

‘ You are to take Care that no Protection be
 ‘ granted to any Delinquent, contrary to the *Or-*
 ‘ *dinance* of Parliament.

‘ You are further to take Care that the several
 ‘ *Ordinances* be put in due Execution against all
 ‘ Delinquents, notwithstanding any Protection
 ‘ whatsoever.

‘ You are to acquaint both Houses with your
 ‘ Proceedings from Time to Time; and to observe
 ‘ these *Instructions*, and such further Directions
 ‘ as you shall receive from both Houses of Parlia-
 ‘ ment.’

The Houses had been also a long Time in fra-
 ming *Instructions* for a Committee to go into *Scot-*
land, to regulate such Matters with the Parlia-
 ment

ment there, as were then necessary to be done. An. 21. Car. I.
All which are contained in the following Articles: 1645.

July.

I. ' YOU shall forthwith repair into the King-
dom of *Scotland*; and you shall make Instructions for
' your Addresses to the Parliament there, or any other Commis-
' deputed by them as shall have Power and Autho- sioners appointed
' rity to treat with you, upon such Matters as you to go to the Par-
' have received, or shall receive, in Charge; and liament of Scot-
' to negotiate in that Kingdom as Committees or land.
' Commissioners of and from the Parliament of
' *England*: And, having performed the Things
' wherewith you are intrusted, you are to return
' and repair to the Parliament of *England*, to render
' an Account of your Employment.

II. ' You are to let them know the two Houses
' good Acceptance of that brotherly Assistance they
' have received from that Kingdom; and return
' them Thanks.

III. ' You are to let them know, That a good
' and mutual Correspondency between the two
' Kingdoms, united in this great Cause by *Solemn*
' *League and Covenant*, is very earnestly desired by
' both Houses: And you are, to that Purpose, to
' use your best Endeavours for the continuing
' thereof; and to give the best Satisfaction you
' can, in all Things that may seem to have given
' any Occasion of Difference; and to desire the
' like from them:

IV. ' To acquaint them with the great Straits
' we are in for Want of Money; and that what-
' soever Payments from hence have not been made,
' in pursuance of the *Treaty*, it hath not proceeded
' from any Want of Affection, or Want of Inten-
' tion to make good our Engagements.

V. ' You shall propose, That the Works about
' *Carlisle* may be slighted, and the Place dis-
' mantled; and that the *Scots Garrison*, now in
' *Carlisle*, put in there without the Consent of the
' Parliament of *England*, be forthwith removed,
' in pursuance of the *large Treaty* of both King-
' doms.

VI.

An. 21. Car. I.

1645.

July.

VI. ' You shall demand that the several Garri-
' sons in *Warkworth Castle, Tinnmouth Castle, New-*
' *castle upon Tyne, Hartlepoole, Stockton Castle,*
' and *Thirlewall Castle*, may be removed ; being
' placed there without the Consent of both Houses
' of the Parliament of *England*, or their Com-
' mittees.

VII. ' You shall insist upon it, That all Pro-
' tections already given to the Persons, Goods, or
' Estates, of any Delinquents, without the Con-
' sent of the Parliament of *England*, or their Com-
' missioners, be limited to their just Intentions ;
' which is, only for restraining of the Soldiers from
' all Acts of Violence against the Persons so pro-
' tected ; and not extended to the Prejudice of any
' Ordinance of Parliament, or Order of both or ei-
' ther House of Parliament : And that no Protec-
' tions be granted, or Capitulations made, without
' the Consent of the Parliament of *England*, or
' their Committees : And that, if any Protections
' have or shall be granted or made otherwise,
' they shall be held void and null.

VIII. ' That a Commission be granted under
' the Great Seal, as in 1641, for the taking and
' adjusting the Accompts of *Yorkshire*, of the City
' and County of the City of *York*, *Northumberland*,
' the Borough of *Berwick upon Tweed*, *Cumberland*,
' *Westmoreland*, the County of *Durham*, and County
' of *Newcastle*, between the Scots Army and the
' said several Counties, arising either by Assessments,
' Free-Quarter, Billeting, or any other Way. You
' shall offer to the Parliament of *Scotland*, or their
' Committees, that they may send some Commis-
' sioners, if they please, to be present at the adjust-
' ing of the Accompts in the several Counties
' above-mentioned.

IX. ' You shall take Care that all the Articles
' of the several *Treaties* between the two King-
' doms be observed and kept.

X. ' You shall represent to the Parliament of
' *Scotland*, or their Committees or Commissioners
' in that Behalf, all Oppressions, Wrongs, and In-
' juries,

jurists offered contrary to the said Articles; and An. 22. Car. I.
 "define such Remedy as to Justice shall appertain." 1645.

The Names of these Commissioners were *John*
Earl of Rutland, Philip Lord Wharton, Sir Henry
Vane, Sir William Armes, Thomas Hatcher and
Robert Gardwin, Esqrs.

July.

July 29. The Earl of Northumberland presented
 a Paper from the Scots Commissioners residing in
 London, bearing Date the Day before.

HAVING now seen and perused the diverse Letters and Papers, of great Importance, mentioned in the Answer of the Honourable Houses of Parliament to our Paper of the 20th of June, which may give Light to the future Proceedings of both Kingdoms; having also observed the good Success of the Parliament's Forces since that Time, whereby the King and His Armies are brought to a much lower Condition, which, in Divine Providence, may be a further Preparation to a happy Peace; and having also Reason, from what we have learned in Time past, to apprehend that Men will not be at Rest, but still be dealing under-hand, and tampering for a Peace of their own making, and for their own private Ends, to the great Prejudice of the Public, and the further alienating of the King's Heart from a safe and well-grounded Peace, and the delaying of the Intentions of both Kingdoms; we do, in all Earnestness, desire, upon the Grounds and Considerations proposed in our former Paper, to know the Minds and Resolutions of both Houses in a Matter of so great Consequence, as is the removing the Desire and Propositions of Peace, in such Manner as shall be thought fit, that we may make the same known to the Parliament of Scotland, now sitting, which may expect no less from your Trust and Diligence.

By Command of the Commissioners for the Parliament of Scotland. JOHN CHILSEY.

This Paper was ordered to be communicated to the Commons.

34 *The Parliamentary HISTORY*

An. 27. Car. 1.

1645.

August.

A Committee had sat a long Time on the Lord Digby's Letter and Lord Saville's Business; but not having yet got Matter enough to report it to the Houses, they now seem'd to be tired of the Pursuit, for the Earl of *Essex* acquainted the Lords this Day, That several of the Committee being gone or going out of Town, the rest thought fit to adjourn for five Weeks; which was agreed to.

August. There are very few Matters in the Beginning of this Month, in the *Journals*, worth our Notice; except we mention that Colonel John Lilburn was now first taken Notice of, for publishing a Pamphlet reflecting on the Justice of the Parliament, and aspersing several Members of the House of Commons. A Man whom we shall have further Occasion to mention in the Sequel; but he was ordered to be tried at the next Quarter Sessions for this Offence.

A Conference held by both Houses on that Occasion.

Aug. 11. A Conference was held between the two Houses, on the Subject of the last *Scots* Paper about *Peace*; the Report of which made to the Lords was, That the House of Commons had taken it into Consideration, and had resolved, that the good Condition the Parliament were now in, should not make them further off from desiring a safe and well-grounded *Peace*. But because there had been such ill Success in the Manner of the late *Treaties*, they had made certain *Votes* to which they desired their Lordships Concurrence.

1. 'That in such *Propositions* as should be next sent to his Majesty, for a safe and well-grounded *Peace*, a positive Answer shall be desired from himself, without any *Treaty*.

2. 'That *Propositions* shall be sent to his Majesty for a safe and well-grounded *Peace*.

3. 'That such Desires as shall now be made to his Majesty for *Peace*, on Behalf of *England* or *Ireland*, shall be presented in *Bills* to him.

4. 'That these *Votes* may be communicated to the *Scots* Commissioners, and be treated on by the Com-

Committee of both Kingdoms.' — To all which An. 27. Car. 1.
Votes the Lords consented. 1645.

August.

Aug. 12. Cromwell, by an Ordinance of Parliament, continued General of the Horse for four Months longer.

Aug. 15. Some Letters from the Scots Army lying before Hereford are entered, this Day, in the Lords Journals; together with two Papers from their Commissioners, the one relating to the Distresses of their Army, the other concerning the last Votes for Peace. And first,

A Letter to the Committee of both Kingdoms at Derby-house:

My Lords and Gentlemen,

WE have received your Letter of the first of August, and have, according to your Desire, sent a Party into Northampton; but must acquaint you that we cannot conveniently hereafter, upon the like Occasions, send Parties so far from us; and therefore do desire that Order may be taken there for easing us of such long Convoys.

Letters from the Scots Army lying before Hereford.

Upon Advertisement of the King's passing the Severn, and being the length of Wolverhampton, we conceived it very necessary, for preventing further Inconveniences, that a Party should be sent from this Army to attend their Motion; wherefore his Excellency, the Lord-General, hath issued his Orders accordingly, and there are now eight Regiments of Horse, one Regiment of Dragoons, and 500 commanded Musquetaers mounted, upon their March in Pursuit of those Forces. The rest of the Army are still making their Approaches to this Place, which is in a good Forwardness, whereof we are hopeful to give you a good Account shortly.

Signed in the Name of the Committee of both Kingdoms residing with the Army, by

Your affectionate Friends and Servants,

From the Camp before Hereford, August 11, 1645.

LOTHIAN,
 J. CORBET.

Aug. 27. Car. 1. Next was read a Letter to the Scots Commissioners.
1645.

August.

Right Honourable,

THE public Letter to the Committee of both Kingdoms will acquaint you, that we have sent a Party of Horse and Dragoons after the King. The Gentlemen of Glamorganshire, Monmouthshire, and Brecknockshire, have sent some of their Number to the General, to assure us that they will rise in Arms for the Parliament. The Condition of our Army, as we have often represented, is extreme hard; the common Soldiers begin to be sick with eating of Fruit; we have now sent away almost all our Horse, so that we want their Assistance to bring in Prisoners; and therefore we desire you to use all possible Diligence in hastening down to us what Monies are come into the Committee of Goldsmiths Hall; which, if it shall not come in good Proportion, we are afraid to think what shall be the Condition of this Army. We assure ourselves of your Care herein, and that you will hasten to us more Ammunition; we have sent a Copy of the Paper given in by us to the English Commissioners, and remain

Your Lordships

From the League before Hereford, August 12, 1645.

affectionate Friend,

LOTHIAN, J. P. D.

Then the following Remonstrance, setting forth the Distress of the Scots Army, presented from their Commissioners, was read:

A Remonstrance from their Commissioners, setting forth the Distresses of that Army.

THE pressing Necessities of the Scots Army do inforce us to represent, by your Lordships and these Gentlemen, to the Honourable Houses of Parliament, that, notwithstanding the whole four Months of the Ordinance be long since expired, there is but a very small and inconsiderable Proportion of Money, assessed upon the several Counties for Entertainment of that Army, as yet

yet come in to the Committee of Goldsmiths-
Hall, for Repayment of the Month's Pay ad-
vanced by the City of London, and for satisfying
the Necessities of that Army, which is reduced
to that Extremity in the present Service wherein
they are engaged, that, without Pease, Apples,
and green Wheat they gather from the Ground,
they are not able to subsist: Some of the Coun-
ties, as *Lincoln* and *Rutland*, desire to be excu-
sed, and pretend their Inability to afford any Pro-
portion of the Money assessed upon them for that
Army, and little or none comes in from the rest
of the Counties. It is above a Twelvemonth
since a Month's Pay was ordered by the House to
be paid to the *Scots* Army, out of the Fines and
Compositions for Delinquents Estates, immedi-
ately after the Battle of *Long-Marston*; a good
Proportion thereof is yet due, the Payment of
which is obstructed by several Orders procured
from the House, for Payment of Monies for other
Uses, out of those Fines and Compositions. Our
earnest Desire to the Honourable House is, That
some speedy and effectual Course be taken for
bringing in of the Monies due by the Counties
for four Months past: That the Ordinance may
speedily be renewed: That the House will be
pleased to appoint the Committee of Goldsmiths-
Hall, first to pay the Remainder of that Month's
Pay, voted after the Battle of *Long-Marston*, out
of the Fines and Compositions for Delinquents
Estates, notwithstanding any subsequent Orders;
and to the end the Committee of Goldsmiths-
Hall may be enabled for the speedy Payment
thereof, and other incident Charges, that the
House would call for their Reports concerning
those Fines, wherein they can proceed no fur-
ther without the Approbation of the Houses.

By Command of the Commissioners for the Parlia-
ment of Scotland,

August 7, 1645.

JOHN CHIESLEY.

38 The Parliamentary History

An. 21. Car. I.
1645.

Lastly a *Paper* from the said Commissioners, concerning *Propositions* for *Peace*.

August.

Another relating
to the late *Propo-*
sitions for *Peace*.

‘ HAVING received from your Lordships some *Votes* of the Honourable Houses, concerning the *Propositions* for *Peace*; and, after some Conference thereupon, being desired by your Lordships to give our *Answer* in Writing, we hereby present our Thoughts, and do offer it to your Lordships Consideration, Whether it were not fit to shun all Occasions of Delay in sending the *Propositions* of *Peace* to the King, lest thereby we neglect the Improvement of so seasonable an Opportunity of obtaining *Peace*, as we have expressed in our former *Papers*; that, to this End, we are most ready presently to concur with the Honourable Houses, for sending to his Majesty the *Propositions*, either all or some, as they have been already agreed upon in the Parliaments of both Kingdoms, for Matter and Manner.

‘ That, untill we understand what *Propositions* are intended by the *Votes* of the Houses to be next sent, we cannot give a clear *Answer* concerning the Manner; that if the *Propositions* presented at *Uxbridge* be understood, with any other of those already agreed upon by both Kingdoms, which, upon mutual Debate, shall be judged most necessary for the Peace of both Kingdoms to be now sent, we shall be ready to concur with the Honourable Houses, to desire a positive *Answer* there- to from his Majesty without any *Treaty*.

‘ But in case any new *Propositions* of *Peace* be thereby understood, or any material Additions to or Alterations of the former *Propositions*, we shall be necessitated to send these to the Kingdom of *Scotland*, to be there considered and approved, as all the former were: And as it is evident that we are not the Cause of this Delay, so, that no Pre- judice may thereby arise to the Public, we desire, in the Interim, that those already agreed upon by both Kingdoms (which at the Time were thought

‘ suf-

‘ sufficient) may be presented to his Majesty with all An. 21. Car. 1.
‘ convenient Speed. 1645.

August.

‘ Concerning the third *Resolve* of the Houses, for
‘ presenting their Desires, by *Bill*, to his Majesty ;
‘ if the Meaning be to send the *Propositions* that are
‘ already agreed upon by the Parliaments of both
‘ Kingdoms, and to seek the King’s Majesty’s po-
‘ sitive *Answer* thereunto, and together therewith
‘ to present Bills conformable to those *Propositions*,
‘ for the more legal Securing of this Kingdom in the
‘ King’s Grant of these *Propositions*; although we
‘ think it more safe and convenient for both King-
‘ doms, that the Security of both should proceed
‘ Hand in Hand, and, *simul et semel*, be perfected
‘ and consummated ; yet if the Honourable Houses
‘ shall insist upon the sending such *Bills* with the
‘ *Propositions*, we are so far from giving any Occa-
‘ sion of Delay, (for which we are by some unjustly
‘ blamed) that we will be ready to concur ; the
‘ Kingdom of *England* securing us, as they did in
‘ the *large Treaty*, both in relation to the King and
‘ in relation to themselves, as we are bound to do
‘ the like to them ; and, withall, we desire, That
‘ if these *Bills* be not ready, the sending of the
‘ *Propositions* may not be delayed ; the Grant
‘ whereof by his Majesty will be an Engagement,
‘ and make Way for his Assent to the *Bills*: But if
‘ the Meaning be to send *Bills* without sending the
‘ *Propositions* agreed upon by both Parliaments, or
‘ without desiring the King’s *Answer* thereunto,
‘ then we shall be necessitated to know the Pleasure
‘ of the Parliament of *Scotland* concerning this new
‘ Way, before we can join in it ; and in the mean
‘ Time desire the Honourable Houses to take into
‘ their serious Consideration, That the former Way
‘ agreed upon by both Kingdoms is laid aside, and
‘ that this new Way of sending *Bills* without *Pro-*
‘ *positions* was not thought necessary in any former
‘ Address to his Majesty for *Peace* ; neither was it
‘ proposed to us, or communicated to the Parlia-
‘ ment of *Scotland*, which is now adjourned, so
‘ that

An. 21. Car. 1.

1645.

August,

that we cannot communicate the same unto them
 for the present: That it is not in the Power of
 any Commissioners from a Parliament to form the
Propositions into *Bills* or *Acts of Parliament*, and
 to desire the King's Ratification thereof, before
 such *Bills* or *Acts* be known or agreed upon by
 the Parliament itself; that the Way of the *Propo-*
sitions, as they are conceived by both Parliaments,
 is a joint Way, uniting the Kingdoms in their
 Desires, tying the King to both in his Grants,
 and obliging both to see these performed and pre-
 served, each in Favour of the other; and so doth
 double the Security, both by way of Law and
 way of Covenant, and aggravates the Violation
 of any Article as the Violation of both Law and
 Covenant: Whereas the Way of *Bills*, without
 the *Propositions*, is a more dividing Way, both
 of the Desires of the Kingdoms, of the King's
Answers thereunto, and of their Obligations to
 see the same performed; and therefore a disjunc-
 tive Way was most earnestly pressed by the King's
 Commissioners at *Uxbridge*, as most conduci-
 ble to their Ends, and prejudicial to ours, and for
 that Cause was opposed by the Commissioners of
 both Kingdoms.

That seeing the Parliament of *Scotland* is not
 presently sitting, and did not know of this Way,
 and that we cannot have Power to form Acts of
 Parliament, this were to propose and settle the
 Peace of one Kingdom without settling of the
 other; which, as it were contrary to the *Cove-*
nant and to the *Treaty*, so would it be made Use
 of by our common Adversaries, to be the Occa-
 sion of ruining the Peace of both; and therefore
 we rather desire, that the Way already agreed
 upon by both Kingdoms may be observed, as
 that which will occasion both least Delay and least
 Danger; especially seeing we are willing to crave
 a positive *Answer* to the *Propositions* without any
Treaty; and for the Way of Security, we desire
 that the Way, so solidly agreed upon by both
 King-

Kingdoms for establishing of the *large Treaty*, and inserted in the Beginning and Close of the Acts of Parliaments of both Kingdoms, in the Year of God 1641, may be seriously considered, as containing a threefold Security; the one of engrossing all the *Propositions*, and passing them by way of a Law and Act of Parliament; the other, by way of the King's Covenant and Oath to his People; the third, by the Parliaments of both Kingdoms giving their full Assurance, and making public Faith in the Name of both Kingdoms respectively, for the true and faithful Observance thereof: All which, upon the King's Grant of the *Propositions*, may be speedily dispatched and securely settled, which is our chiefest Desire, for the Good of both Kingdoms.

An. 51. Car. 1.
1645.

August.

And it were earnestly to be wished, in a Matter of so tender a Nature as the Business of *Peace*, wherein the mutual Advice and Consent of both Kingdoms is necessarily required, that neither Kingdom should engage themselves without a previous Debate, especially in Alteration of any Thing formerly agreed upon.

By Command of the Commissioners for the Parliament of Scotland.

Aug. 14, 1645.

JO. CHIESLEY.

The foregoing *Papers* and *Letters* were ordered to be communicated to the House of Commons at a Conference.

The Parliament began now to think themselves so far out of Danger, as to be less assiduous in their Attendance on Business, and to sit but two Days in a Week: For which Reason we shall be more concise in our Collections from the *Journals* for the future.

Aug. 19. The Lords, on a Petition of the Lord Saville and Lord Powys, Prisoners in the Tower, representing their miserable Estate, being deprived of all they were worth, and nothing left either

42 *The Parliamentary History*

An. 21. Car. I.

1645.

August.

to pay their Keeper's Fees, or pay for their Diet ; the Lords ordered that 7*l.* a Week should be allowed each of them, out of their own sequestered Estates, for their present Maintenance.

The same Day the Assembly of Divines presented to the Lords a very long Memorial, concerning the Government of their new-established Church ; which was to be divided into *Congregational, Classcal, Provincial, and National Assemblies*, to be governed by Elders, &c. with many other Particulars, all too tedious and prolix for these Inquiries, which we therefore pass over with a Reference ^m.

The Parliament order a public Thanksgiving for their late great Successes.

A Day of public Thanksgiving was ordered to be kept for God's Mercies to the Parliament's Forces in divers Parts of the Kingdom ; for the gaining of the Towns of *Bath, Bridgewater, Scarborough Castle and Sherburn Castle*, also for the dispersing of the *Club-Men*, and the good Success in *Pembrokeshire, &c.*

The Club-men declared Traitors.

Aug. 23. A Declaration was also passed against the People called *Club-Men*, That all Persons whatsoever, who shall associate or assemble themselves together in Arms, in any Parts of the Kingdom, without Authority of the Parliament, are hereby declared Traitors to the Common-Wealth, and to be proceeded against accordingly.

The Earl of Montrose's Victory in Scotland on behalf of the King.

Aug. 26. Several Letters from the *North* were read ; one from the Lord *Wharton*, giving some Account of the great Victory the Earl of *Montrose* had gained over the *Scots* Covenanters, near *Glasgow, in Scotland*. Also, that the Plague being at *Edinburgh*, the Parliament there had agreed to send Commissioners to treat with the *English* at *Berwick*. By these Letters, *Montrose's* Victory is said to be compleat, and that he was perfect Master of the Field in *Scotland* ; which Opportunity, if well improv'd, might have been of vast Advantage

^m *Commons Journals* of this Month, & *ultra*,

tage to his Majesty's Service in *England*, but it did not so fall out in the End. An. 21 Car. I. 1645.

The most material Things which happened towards the Close of this Month were; A long Ordinance^b for establishing the new Directory, and abolishing the Book of Common Prayer.—Another for making the Lord Grey of *Werk*, and William Lenthall, Esq; the Speakers of the two Houses, Keepers of the Duchy Seal of *Lancaster*.—Sir Lewis Dives and Mr. Giles Strangways, lately taken Prisoners, being Members of the House of Commons, were brought to the Bar of that House, reprimanded severely by the Speaker, and afterwards committed Prisoners to the *Tower*, for High Treason.—The Lord Saville, on his humble Petition to the Lords, and the Commons having nothing to say against it, was bailed; so that there seems to be an End of that formidable Business.

September.

September. This Month begins with an Order of Parliament for appointing a Day of public Humiliation and Prayer, to be humbled for the Miseries of *Scotland*, and to desire God's Blessing on the Army under Sir Thomas Fairfax, and for ceasing of the Plague in the Kingdoms of *England* and *Scotland*.

Sept. 3. More Letters from the Parliament's Commissioners at *Berwick*, intimating, that *Scotland* was in such Distraction, and their Commissioners so dispersed by the late sad Accident in that Kingdom, that they could not, as was desired, meet at *Berwick*: That the *Scots* wanted the Assistance of the *English* Armies and Councils in that Time of imminent Danger, &c.

At this Time also the Parliament in *England* was in much Distress for raising Money to pay their numerous Forces; and the Commons had sent up an Ordinance for the absolute Sale of all De-

The Commons pass an Ordinance for the Sale of Delinquents Estates,

^b This, with his Majesty's Answer to it, are printed in *Rusworth's Collections*, Vol. VI. p. 205, et ultra.

44 The Parliamentary HISTORY

An. 21. Car. 1.

1645.

September.

Which is put off
by the Lords.

Delinquents Estates; and, this Day, a Conference was held between the two Houses about it; wherein the Commons acquainted the Lords with the Necessity of raising great Supplies of Money, and that there was no other Way of doing it: That the Excise was anticipated, his Majesty advanced towards *Bristol*, and the Forces which were marched out of *Lincolnshire* could not be kept together without Supplies; and there being no other Means left to raise any, they desired the Lords to pass this *Ordinance*. The Lords ordered this to be considered of the next Day; and, in the mean Time, all the absent Peers in Town to be summoned.

Sept. 4. The Lords went upon the last Business; but finding it a Matter of very great Consequence, they again referred the further Consideration of it to the eighth Instant, and ordered their House to be called on that Day.

Another Letter from the Lord *Wharton* was read, which we give in its own Words:

For the Right Honourable the Lord GREY of *Wark*, Speaker of the House of PEERS *pro Tempore*.

May it please your Lordship,

Letter concerning General Lesley's leaving Hereford, and marching into Scotland.

LATE last Night we met with the Lord Lanerk and Mr. Meldrum, who told us they were appointed by the Lord Chancellor, the Marquis of Argyll, and the rest, to acquaint us how tender they were lest any Prejudice should arise to our Affairs by calling away Lieutenant-General David Lesley; from whom they received a Letter that Morning, from *Bawtry*, that he had received Orders to come with his Horse into Scotland, for Relief of that Kingdom; and that if, upon his coming away, the King's Party should pass into *Yorkshire*, and so Northward, it might not only hazard the Spoiling of those Parts, and getting a considerable Strength there, but also

render

render the Coming of Lieutenant-General Lesley altogether ineffectual; and that their Necessities in these Parts do instantly require a Strength of Horse and Foot to head the well-affected that are under their Command, and may be raised; yet, unless the King's Forces be secured, and a considerable Strength from the South and West to attend the King's Movements, they thought it not so safe for them or us to have Lieutenant-General Lesley come away.

They were very earnest with us that we would represent their present Condition to your further Consideration, in Hopes some speedy Course may be taken for their Relief: And we hold it our Duty to acquaint the House herewith, because, upon the Receipt of those Letters from Lieutenant-General David Lesley, the Lords thought fit to recede from the Opinion they so earnestly pressed the other Day, of which we gave an Account in our last Letter of the 26th Current, with their Paper inclosed in it; and though the Scots Forces, in the Towns and Castles in these Parts, besides Berwick, might make a considerable Strength if they were drawn altogether; yet we do not perceive any Willingness in them, as yet, to make Use of those Forces in that Way.

Your Lordship's humble Servant,

Berwick, August 28,
1645.

P. WHARTON.

This Letter was ordered to be communicated to the House of Commons, with this Sense upon it, 'That the Lords do think fit that it be recommended to the Committees sent to the Parliament of Scotland, that they offer unto the Commissioners of the Kingdom of Scotland, the withdrawing of their Garrisons in the North of England, which they may employ for the Service of the said Kingdom of Scotland, and that our Committee there take Care for the supplying of such Garrisons, as shall be so withdrawn, with a competent Number of English Forces out of the Northern associated Counties.'

Sep.

An. 27. Car. I.
1645.

September

46 The Parliamentary History

An. 21. Car. 1.
1645.

September.

Sep. 5. The Scots Commissioners residing in London, presented the following Paper to the House of Lords:

Their Commis-
sioners Com-
plaint of Want
of Pay for their
Army.

‘ UPON several Occasions we have represented
‘ to the Houses of Parliament the extreme
‘ Wants and Necessities of the Scots Army; and
‘ particularly of late in a Paper of the seventh of
‘ August, to which we have received no Answer.

‘ It is fourteen Months since a Month’s Pay was
‘ ordered, by the House of Commons, to be paid to
‘ the Scots Army out of the Fines and Composi-
‘ tions for Delinquents Estates, immediately after
‘ the Battle of Long-Marston; a great Proportion
‘ whereof remains yet due, and cannot be paid, by
‘ reason several Orders are procured from the House
‘ in Prejudice thereof, for Payment of Monies for
‘ other Uses, out of those Fines and Compositions.
‘ It is about seven Months since the Houses of Par-
‘ liament did pass an Ordinance, assessing the se-
‘ veral Counties towards the Entertainment of that
‘ Army; of all which there is only come in to the
‘ Committee of Goldsmiths-Hall, about 7 or 8000*l.*
‘ for Repayment of the Month’s Pay advanced by
‘ the City of London, which is all that Army re-
‘ ceived for these seven Months past; and for the
‘ Month’s Pay ordered by the House upon the
‘ 15th of August, to be forthwith provided and
‘ furnished, there is no Appearance of the provi-
‘ ding thereof till the House give further Order.

‘ The Houses of Parliament were also pleased
‘ to appoint 200*l.* *per Diem*, to be paid towards
‘ the Maintenance of the Infantry of that Army;
‘ which, though it hath been assessed by the Com-
‘ missioners of Parliament, yet hath proved al-
‘ together ineffectual, as they themselves have
‘ certified to the House of Commons. We do
‘ therefore again renew our former Request to the
‘ Houses, That they would be pleased to call for
‘ the Reports of the Committee of Goldsmiths-Hall,
‘ concerning those Fines and Compositions, to
‘ enable them for speedy Payment of the Remain-
‘ der

der of that Month's Pay *voted* immediately after *Ap. 21. Car. I.*
 the Battle of *Long-Marston*; and to order no
 Monies to be paid by that Committee out of those
 Fines and Compositions, till it shall be paid :
 That the Month's Pay ordered by the House
 upon the 15th of *August*, to be forthwith provided
 and sent to the Army, may be accordingly furni-
 shed; and that a more effectual Course be taken
 for bringing in the Monies, assessed upon the sever-
 al Counties, for Entertainment of that Army.

1645.
 September.

We are informed that the Houses of Parlia-
 ment have now in Consideration the Sale of De-
 linquents Estates; and therefore have thought fit
 to put the Honourable Houses in Mind of the fifth
 Article of the *Treaty* between the Kingdoms;
 wherein it is provided, That the *Scots* Army shall
 be paid by the Parliament of *England*, out of the
 Estates of Papists, Prelates, Malignants, and their
 Adherents, or otherwise; and since it is clearly
 evident that all other Ways for the Maintenance
 of that Army have failed, we desire that a Stock of
 Credit and Security may be settled, by *Ordinance*
 of Parliament, out of the Lands and Estates of
 Delinquents, for Payment of what is due to the
 Scots Army; and that the Lands and Estates of
 Delinquents be engaged for no other Use till that
 Army receive Satisfaction, which is now most
 necessary, in regard of the great Distractions of
 the Kingdom of *Scotland*; and we hope the
 Houses of Parliament will be the more ready to
 supply them, since the only Quarrel the Enemy
 doth pretend against that Kingdom is, the As-
 sistance given by them to the Parliament of *En-
 gland*?

By Command of the Commissioners for the Parlia-
 ment of Scotland.

September 4, 1645.

JOHN CHIESLEY.

Sep. 8. The *Ordinance* for the Sale of Delin-
 quents Estates was again resumed; but no more
 done in it than referring it to the next Day, and
 the Lords then present ordered to attend. But
 from

48 The Parliamentary History

Ab. 22. Car. I. from thence it was put off to a Committee of the whole House, who were to meet the next Morning at Nine o'Clock; yet we hear no more of this Business for some Time, except that the Commons sent up several Messages to desire the Lords to expedite this Ordinance: But the same being put off from Time to Time, we shall give some more Letters from Berwick, which were presented to the House of Lords during the Interval.

For the Rt. Hon. the Lord GRAY of Mark, Speaker of the House of PEERS pro Tempore.

May it please your Lordship,

Letter from the English Commissioners at Berwick to the House of Lords,

WE are very sensible of our Stay here near three Weeks, without doing any thing in the Business we have in charge from you; notwithstanding we have continually sollicitd the Committee of Estates to have a Meeting with those that are appointed by the Parliament of Scotland to treat with us, we cannot as yet obtain it; and therefore, Yesterday, we wrote a Letter, (whereof I send your Lordships a Copy inclosed) unto which we have not yet received any certain Answer, save that they told us, they would endeavour, by the best Means they could, to procure a Committee to meet with us as speedily as might be; but could not define any certain Time.

It is confidently reported that Lieutenant-General Lesley is come on the North Side of Tyne, with 5000 Horse and Dragoons at the least; and we do not hear that Montrose stirs with the Body of his Army from about Hamilton, where he stays and assumes a Power to himself over that whole Kingdom, having summoned a Parliament to sit down at Glasgow the 20th of the next Month.

We hear that the Lord Ogilvy, who was lately released from Edinburgh, is gone with a Party of Horse into Nithesdale, to raise Forces in those Parts. If it would please the Houses to send down Arms and Ammunition to Newcastle, for the Use of the Northern Counties, (which they are in very great want of) they might thereby be enabled to do the Parliament

liament some Service. This being all we have at pre- sent to trouble your Lordship with, I remain,

An. 21. Car. I.
1645.

My Lord,

September.

Berwick, Sep. 3,
1645.

Your Lordship's
most humble Servant,
P. WHARTON.

The Letter mentioned in the foregoing was as follows :

To the Rt. Hon. the Lord Marquis of ARGYLE, the Earls of CRAWFORD and LINDSAY, and the rest of the Lords, and others of the Committee of the Estates of Scotland.

Right Honourable,

WE did write unto your Lordships on Tuesday the 26th of last Month, that a certain Time and Place might be appointed for our Meeting with you, but have not received any Answer at all concerning the Certainty of either ; this is the eighteenth Day since our Arrival at Berwick, where we have stay'd at your Desire ; and though the last sad Accident may have occasioned many Distractions amongst you, and hitherto prevented our meeting, yet we doubt those that sent us to you will think the Time long we have been here, without any Progress in their Business ; and since, without a Meeting, our longer Stay here can be no way useful to you, nor serviceable to those that sent us, we have thought of advertising them of our Return, unless a speedy Time of meeting be appointed ; which we conceive may stand with your Lordships Conveniency to be at Berwick, because of your former Desire for our abiding here. We have sent your Lordships Copies of two Letters, in which is included the News we have by the Post, and so remain

Another to the
Committee of
the Estates of
Scotland.

Your Lordships most humble Servants,

P. WHARTON,
W. ARMYN,
THO. HATCHER,
R. GOODWYN.

Berwick, Sept. 2,
1645.

VOL. XIV.

D

Sep.

An. 21. Car. I.
1645.

September.

The State of the
War in that
Kingdom.

Sep. 11. A Paper from the Scots Commissioners was read, the Purport of which was, 'That the Lords having desired that they should give a particular Information of the late unhappy Blow in *Scotland*, the present Condition there, and what was intended to be done with the Scots Army before *Hereford*, and that Party of Horse gone under Lieutenant-General *Lesley* towards *Scotland*, have thought fit to offer to the Consideration of the Honourable Houses, whether, upon this extraordinary Occasion, it might not stand with their Pleasure, That the true State of these Matters be represented at a Grand Committee of both Houses; and, after a full Understanding of the State of that Kingdom, Consultation might be taken for their Relief, to the Advantage of both.'

A Supply of
Arms and Am-
munition order'd
to be sent there.

Ordered, That the Scots Commissioners should be heard, before a Grand Committee of both Houses, the next Morning. And, upon the hearing of this Matter, a large Proportion of Arms and Ammunition were agreed to be sent into *Scotland*, to supply the Necessities of the Scots Army there.

A Memorialist of these Times, whom we have not before quoted, tells us from his own Knowledge, 'That it was at this Time debated, whether the King should march with his Army into *Scotland*; which had been done, but two Things prevented it: *First*, The Plague was broke out there, and Multitudes died of it; which made the King backward, and the Men more backward. *Secondly*, The Marquis of *Montrose* having routed a whole Brigade of *Lesley's* best Horse, and carried all before him, wrote to his Majesty, that he did not now want Assistance; but was in Hopes, in a few Days, to send a Body of Foot into *England* to his Majesty's Assistance. This Over-confidence of his was his Ruin; for, on the contrary, had he earnestly pressed the King to have marched, and

^a *Memoirs of a Cavalier*; generally supposed to be wrote by Commissary-General *Wilmot*, afterwards Lord *Wilmot*.

and fallen in with his Horse, the King had done it, and been absolutely Master of Scotland in a Fortnight's Time; but *Montrose* was too confident, and defied them all, till at last they got their Forces together, and *Lesley*, with his Forces out of *England*, worsted him in two or three Encounters, and then never left him till they drove him out of *Scotland*.

An. 21. Car. I.
1645.
September.

Sept. 15. This Day the Lords, after many Delays, resumed the Consideration of the *Ordinance* for the Sale of Delinquents Estates; and, after long Debate, in a Committee of the whole House, the Lord *Say* and *Selle* reported, That the Sense of that Committee was, That a new *Ordinance* should be drawn up for the Sale of the Lands and Revenues belonging to Archbishops, Bishops, Deans, Deans and Chapters, to be employed for the same Ends and Uses, mentioned in the *Ordinance* for the Sale of Delinquents Estates; with an Exception of all Improvements and Tythes, belonging to them, as were fit to be employed for the Increase and Maintenance of the Ministry. And, in this, such Delinquents Estates should be added, as that House should think fit. A Committee of seven Lords was immediately ordered for that Purpose.

An Ordinance
for Sale of the
Lands of Bishops,
Deans, &c.

Sept. 16. Another Letter from the Lord *Wharton* is entered, which carries its own Explanation.

For the Lord GREY of *Wark*, Speaker of the House of PEERS *pro Tempore*, at *Westminster*.

May it please your Lordship,

IN my last I certified your Lordship, that Lieutenant-General *Lesley* had come on the North Side Tyne with 5000 Horse and Dragoons; he hath since passed the Tweed, and, on Saturday the 6th of this Instant, kept a Rendezvous at *Hare-Law*, about three Miles within the Borders of Scotland, with eight Regiments of Horse, one of Dragoons, some mounted Musqueteers, and 800 commanded

A Letter from
the Committee
in the North,
concerning the
State of Affairs
there.

An. 21. Car. I.

1645.

September.

Men from Newcastle, computed in all to be between 5 and 6000. We hear the greatest Part of them is now about Dunse, and Montrose is about Ormiston Wood within two Miles of Haddington.

The Earl of Roxborough and Lord Home were Yesterday, the 9th of this Instant, brought Prisoners into Berwick upon Suspicion, or some Discovery, of their holding Intelligence with Montrose.

We had several Meetings on Thursday and Friday last, with the Committee of four Lords and Mr. Robert Meldrum, who were appointed by the Committee of Estates to treat with us; but upon Discussion of their Powers, it not being found that they were enabled to treat, we could not at all proceed in the Business we have in Charge from you; but, at our parting, their Lordships again unanimously assured us, that, within two or three Days, they should have the Commission from the last Parliament to the particular Commissioners appointed to treat with us, and a Quorum of that Number, who might forthwith enter into a Treaty with us, in Expectation whereof we have waited unto this Day, but as yet hear nothing from them; and have therefore thought fit to dispatch a Messenger on purpose, this Day, to their Lordships, again to solicit a present Meeting.

We conceive it necessary to put the Houses in mind, that the Directory and Ordinance for taking away the Common Prayer be speedily sent down into these Northern Counties; for want of which the Common Prayer-Book is still made Use of, in many Places, and the malignant Party take Advantage thereby to engage the Affection of the People to their wonted superstitious Observance of it, and Neglect of preaching.

We have received Information from Westmoreland, that the Well-affected there are much discouraged, by the leaving out divers of the most honest and active Committee-men in the late Ordinance for the Association; which has occasioned a Deadness and Interruption of most Business for the Publick Service in that County. The Persons desired to be added to the

the Committee there are, Mr. George Benson, Richard Briscoe, Thomas Sanders, John Archer, Robert Moson, John Garnet, Matthew Atkinson, and Edward Hinde; which, on the greatest Importunity of some very well-affected in that County, we take the Boldness to represent to the House on their Behalf, because we have perfect Information that they may be very useful in that County. This is all I have to trouble your Lordship with at present, and rest

An. 21. Car. I.
1645.

September.

Your Lordships most humble Servant,

Berwick, Sept. 10,
1645.

P. WHARTON.

This Letter was ordered to be communicated to the House of Commons, with a Recommendation that the *Directory* and *Ordinance* may be sent as is desired; and that the Persons named may be added to the Committee; and accordingly a Message was presently sent down by Sir Edward Leech and Mr. Page.

Sept. 19. The Letters of this Day give an ample Account of the distressed State of the King's Affairs, both in Scotland and England. The first was as follows:

For the Right Honourable Lord GREY of Wark,
Speaker of the House of PEERS *pro Tempore*.

Right Honourable,

SIR James Hacket this Day came to us from the Scots Army, and made a Report of a Fight that happen'd between Lieutenant-General Lesley's Forces and Montrose, at a Place near Selkirk, about twenty-six Miles from this Town; where God, of his great Mercy, appeared mightily for us. They killed and took Prisoners 1200 Foot, and put all the Irish to the Sword. They charged the Enemy with four Regiments of Horse, and some commanded Horse of Colonel Middleton's, the rest of their Body being near them, but not engaged. One Thing was very remarkable,

Another, relating a Victory obtain'd against the Marquis of Montrose, in Scotland.

54 *The Parliamentary History*

An. 21. Car. I.
1645.

September.

markable, that the Earl of Lanerk, (his Regiment being one of those that charged) took Sir Robert Spotiswood, his Successor, Prisoner, and, in his Pocket, the Seal the King took from him, so that he is now possessed of it again. Montrose is fled towards the Hills with his Horse, and ours in Pursuit of them. As more Particulars come to our Hands I shall advise you, and so rest

Your Lordship's

Most humble Servant,

Berwick, Sept. 13,
1645.

P. WHARTON.

Bristol taken by
General Fairfax.

The other Letters were from General Fairfax, with an Account of his taking *Bristol*, and a long Narrative of the Proceedings therein. This Letter was directed to the Speaker of the House of Lords; but is almost *verbatim* the same with another sent from *Cromwell*, at the same Time, to the Speaker of the Commons, and is printed in *Rusworth*, along with the Articles of Rendition*,

A Member of the House of Peers having now lain a long Time under Confinement, for a Charge of High Treason from the Commons, the Lords, this Day, remonstrated to them, by Message, 'That they could not, in Justice, detain him any longer from his Seat in Parliament, (being committed July 13, 1644) and therefore should restore him to it on the 27th Instant, unless they do receive further Cause from the Commons to the contrary.' To which the Commons answered, 'That in regard a Member of their House was out of Town, who had all the Papers relating to Lord *Hunsdon's* Affair, they desired a Fortnight's more Time than their Lordships had appointed.' Agreed to.

More Letters
from the North.

Sept. 23. The chief Business this Day, in the House of Lords, was reading of the following Letters

* *Rusworth's Collections*, Vol. VI. p. 85.

ters from the North, which their Speaker acquainted them he had received from the Lord Wharton at Berwick, with divers Papers inclosed :
 An. 21. Car. I
 1645.
 September.

For the Right Honourable the Lord GREY of Wark, Speaker of the House of PEERS pro Tempore, at Westminster.

May it please your Lordship,

I Send you here inclosed the Copy of our Letter, of the 10th of September, to the Committee of Estates of Scotland, with their Answer of the 13th, by the which your Lordship may perceive that there is yet no certain Time appointed for our Meeting.

We have received a Letter from Sir Wilfrid Lawson, of the 10th of this Instant, by which we are informed, that, since the Retreat of the Scots Rebels from the Confines of Cumberland, the Committee there have thought fit to dismiss their Regimental Forces, and apply themselves only to the erecting of their Proportions of the new Model, which they conceive is all they are able to bear, or are enabled to charge upon that County; unto which we have returned the inclosed Answer, and desire that the Pleasure of the Houses may be known therein as speedily as may be. Having nothing else to trouble your Lordship with at present, I remain

Your Lordship's

Berwick, Sept. 15.
 1645.

Most humble Servant,

P. WHARTON.

P. S. I wrote on Saturday, by Sir James Hacket, of the Victory our Brethren's Forces had that Day against Montrose, near Selkirk. Mr. Roe, who was upon the Place, returned to us Yesterday Morning, and confirms the Relation of that Victory.

The

56 *The Parliamentary History*

An. 17. Car. 1.
1645.

September.

The Letter to the Committee of Estates of Scotland, referred to in the above, was as follows :

For the Right Honourable the Lord Marquis of ARGYLE, the Earls of CRAWFORD and LINDSAY, and the rest of the Commissioners of the Estates of Scotland.

Right Honourable,

WE did expect, according to the Discourse we had with your Lordships at our last Meeting, to have seen the Commission from your Parliament, and a Quorum of Commissioners to have treated with us; but the Time being now elapsed, and hearing nothing from your Lordships concerning that Matter, we thought fit to dispatch this Express unto you, with our earnest Desires that your Lordships would resolve us what we may rely on; the rather because we understand our Return is shortly expected. We intreat your Lordships Answer by this Bearer, and rest

Your Honours truly and affectionate

Berwick, Sept. 10.
1645.

Friends and Servants,

P. WHARTON,
THO. HATCHER, R. GOODWYN,
H. VANE, W. ARMYN.

The Answer of the Committee of the Estates of Scotland to the above :

For the Right Honourable the COMMISSIONERS from the Honourable Houses of PARLIAMENT of England, at Berwick.

Right Honourable,

THE Condition of Affairs hath been such, and we have been so much taken up in the Pursuit of the Rebels these several Days past, that we could not, without the Loss of much Time, find any Leisure to attend our Business with you. The Lord has

has now made our Endeavours so prosperous, that we are confident the Issue of this Day will fully make up for all our Delay and your Patience.

An. 21. Car. 1.

1645.

September.

If this Gentleman, the Bearer, had not seen and been an Eye-Witness of all the Good which God hath done for us, we would have made you a particular Account of the several Passages of this Day's Victory. We are so earnestly and necessarily employed about the Pursuit of the Victory, and making Dispatches, that we cannot make a perfect Appointment; but, God willing, after good Course and Order shall be taken with the Dispatches we have in Hand, it shall be our Care to attend upon your Honours, and make some Progress in the Commission wherewith you are intrusted.

We remit to you to make what Use of the Intelligence from the Bearer seems fittest to you. We shall study nothing more than to shew ourselves

Philiphaugh, Sept. 13. 1645. Your Honours

Very assured Friends

and Servants,

ARGYLE,	LAUDERDALE,
CRAWFORD,	LANERK,
LINDSAY,	BARGENY,
BUCCLEUGH,	RUTHERFORD.
YESTER,	W. SCOTT,
FORRESTER,	

A Letter from the Committee of both Houses at Berwick:

To our worthy Friends, the COMMISSIONERS of the County of Cumberland, at Penrith.

Gentlemen,

WE understand by Sir Wilfrid Lawson, that you have thought fit to dismiss your Regimental Forces. We are of Opinion you might do well to continue them till the Pleasure of the Houses were known; which, we believe, will be within a few Days

58 *The Parliamentary HISTORY*

An. 21. Car. 1. *Days, because we shall acquaint them with it from hence; and tho' it hath pleased God to drive away the Storm from you at the present, yet you know not how soon it may return. We leave to your own Consideration to do that which is best for the Good and Safety of your Country, and rest*

1645.

September.

Your very loving Friends,

P. WHARTON,

W. ARMYN, H. VANE,
R. GOODWYN, T. HATCHER.

Sept. 26. A very extraordinary Letter, sent from Sir Thomas Fairfax to the Commissioners of both Kingdoms, was read to the Lords, with one inclosed in it from the Prince of Wales.

For the COMMITTEE of both Kingdoms at Derby-House.

My Lords and Gentlemen,

A Letter from
Sir Thomas Fairfax,
enclosing

HIS Highness the Prince of Wales having sent me, by his Trumpet, this inclosed Letter, which doth expresse what he desires from both Houses of Parliament, I thought it my Duty, by your Lordships Means, to acquaint them with it, and not to hinder the hopeful Blossom of your young Peace-Maker; (if I may be so bold here to term him so) which may prove a Flower in his Title more glorious and sweet to us than the rest of his Ancestors, if it please the Lord to create Peace by him. I shall desire to know your Lordships further Pleasure in this, which shall be observed by

Your Lordships humble Servant,

Bath, Sept. 20, 1645.

THO. FAIRFAX.

The Prince's Letter was as follows:

For Sir THOMAS FAIRFAX.

One to him from
the Prince of
Wales, for
Peace.

WE have so deep a Sense of the present Miseries and Calamities of this Kingdom, that there is nothing we more earnestly pray for to Almighty God, than

than that he would be pleased to restore unto it a happy Peace; and we should think it a great Blessing of God upon us, if we might be so happy as to be an Instrument in the advancing of it: And therefore we have resolved to send two of our Council unto the King, our Father, with some such Overtures as we are hopeful may conduce thereunto; and do hereby desire you to send, or procure from the Lords and Commons assembled in Parliament at Westminster, a Safe-Conduct for the Lord Hopton, and the Lord Colepeper, with twelve Servants, to go to our Royal Father, and to return to us; and we shall then manifest to the World our most earnest Desires to stop this Issue of Blood, which must otherwise, in a little Time, render this unhappy Land yet more miserable.

Given at our Court at Exeter this 15th Day of September, 1645.

CHARLES P.

Hereupon it was ordered, That the Prince's Which are referred to the Committee of both Kingdoms. Letter and that of Sir Thomas Fairfax be recommended to the Committee of both Kingdoms, and to be communicated to the Scots Commissioners; and that the said Committee take the said Letters into present Consideration, and return their Sense to both Houses respectively with all convenient Speed; and that the Concurrence of the Commons be desired. These Letters were sent down to that House accordingly.

Sept. 27. More Letters from the North were read;

For the Lord GREY of Warke, Speaker of the House of PEERS pro Tempore, at Westminster. These. Haste, Haste, Post Haste.

P. WHARTON. Letters from the English Committee in the North, concerning the Scots Commissioners not giving them a Meeting.

May it please your Lordship,

I Have herein sent your Lordship Copies of ours of the 18th to the Lords of Scotland. We know not what we could have done more than we have for a Meeting; and yet, by their Answer, we find no fur-

An. 21. Car. 1.
1645.

September.

I further Engagement for the Certainty of the Time, than we have divers Times had, which hitherto hath not succeeded. This hath occasioned us to go to Newcastle and the Counties adjacent, there to do the best Service we may. And we have sent a Dispatch this Day to the Scots Lords, which I shall not need to repeat, because it is here inclosed. Upon these Uncertainties we stand, and shall expect the Commands of the House concerning our longer Stay or Return, which is all I have at present to trouble you with, and rest

Your Lordship's humble Servant,

Berwick, Sep. 22,
1645.

P. WHARTON.

The Letters to the Lords of Scotland, referred to in the foregoing :

For the Rt. Hon. the Lord Marquis of ARGYLE, the Earls of CRAWFORD and LINDSAY, and the rest of the Committee of the Estates of Scotland.

Right Honourable,

WE have, this Day, by an Express from London, received the good News of the Lord-General's taking Bristol, the Particulars we transmit unto your Lordships here inclosed, having likewise a Confirmation thereof by other Letters.

We have thought fit, after so long Stay here upon your Lordships Desires, to dispatch this Bearer purposely unto you, that we may have a speedy Meeting with those appointed by the Parliament of Scotland to treat with us; otherwise we intend, some Time this next Week, to take our Journies Southward, of which we have thought fit to give your Lordships Notice, and rest

Your Lordships

Berwick, Sep. 18,
1645.

Truly affectionate Friends,

P. WHARTON.

THO^s. HATCHER.

H. VANE.

ROBERT GOODWYN.

Right

Right Honourable,

An. 21. Car. I.
1645.

September.

After so many earnest Letters and Desires to your Lordships, for a Certainty of Time of meeting, and so many Letters and Promises from you, from Time to Time, that it should be within few Days, we had well hoped that some Day this Week, which is the sixth since our coming hither, we should have had a Meeting; and the rather, because we gave you Notice, in our last, of our Resolution to take our Journies Southwards, if such Meeting were not speedy; but, by your Lordships last, we find no Probability of any this Week, nor any Time after assigned when, but that it is left as much at large as ever: This hath occasioned us to repair to Newcastle and the adjacent Counties, there to do what Service we can in this Interim; and we have again sent this Messenger to your Lordships, with our earnest Desire that you would give us a Meeting here some certain Day the next Week, or sooner, if possible; according to which Appointment we shall not fail, God willing, at the Day and Hour appointed, to attend such as are authorized by the Parliament of Scotland to treat and conclude with us: And, in the mean Time, we desire your Lordships to send us a Copy of the Commission, granted by the Parliament of Scotland, upon occasion of our being sent to them from the Parliament of England; which we desire the rather to see, because we have shewed you our Commission, and for that your Lordships wanted Power at our last Meeting, contrary to your own Expectations; and that it then remained doubtful to your Lordships in whom the conclusive Power was lodged, which it becometh us to know before we enter upon the Treaty: As we shall receive Satisfaction from your Lordships as to the Time of Meeting and the Power of the Commission, we shall accordingly dispose of ourselves, and rest

Berwick, Sep. 22,
1645.

Your Lordships

Truly affectionate Friends,

P. WHARTON.

H. VANE.

W. ARMYN.

THO. HATCHER.

ROB. GOODWYN.

Sep.

62 *The Parliamentary* HISTORY

An. 21. Car. 1.
1645.

September.

Narrative of General Poyntz's Victory over the King's Forces near Chester.

Sept. 29. An Account came of a signal Victory gain'd by General *Pointz*, over the King's Forces near *Chester*, which runs thus :

ABout the 18th of *August* last the King, with about 400 Horſe and Dragoons, advanced into *Yorkſhire*.

The 19th Colonel *Roffiter*'s Horſe came up to General *Pointz*.

The 21ſt they joined with the *Scots* and *Cheſhire* Horſe; but a Day's Reſt the *Scots* Horſe would have.

The next Day all marched; but the King got by that Means a Day's Retreat before, whom General *Pointz*, according to his Order from the Committee of both Kingdoms, through many Difficulties, purſued above 300 Miles, not reſting above a Day in any Place; the Knowledge of the King's Advance for the Relief of *Cheſter* being the only certain Intelligence he received of his Motion, he marched Day and Night to be there before him, and took in a ſtrong Houſe with a Drawbridge, moated, (which ſtood in the Way of his March and oppoſed him) in leſs than an Hour's Space.

After a very hard March all Night, on the 25th of this Inſtant, in the Morning, his Vancouriers diſcovered the Enemy on a Moor, within two Miles of *Cheſter*, called *Rowton-Moor*; whereupon immediately he drew into Order, and advanced upon him, tho' all his Forces were not then come up; for he ſuppoſed to take the Enemy at unawares, it being probable they could have no Intelligence of his being ſo near, tho' it proved otherwiſe; for his Letters, written that Night to the Commander within the Out-Lines of *Cheſter*, giving Notice of his Advance, were intercepted; and the Enemy being poſſeſſed of the Advantage of Ground, and in Order, confronted our Van, led by Col. *Hugh Bethel*, in the midſt of a Lane betwixt two Moors, covered with the armed Men of both Battalions, where was gi-

ven

‘ ven a very sharp and gallant Charge by both Parties; for after Pistols were discharged at Half-Pike’s Distance, they disputed the Matter with their Swords a Quarter of an Hour, neither yielding Ground to the other, till at length the Enemy were forced to retreat; whom our Men pursuing were re-encountered by a fresh Reserve at the Lane’s Mouth, and were discomfited there, as also again by another Reserve; but the Enemy, being overpowered in the End, were forced to retreat thro’ the Lane, uncapable of receiving any further Support. Here we had some Loss, the Enemy pursuing to the Lane’s End; but were beaten back, for there was Space for our Reserves to advance. Col. *Bethell* and Col. *Greaves* were then fore wounded.

‘ After this, the General perceiving that the Enemy lay upon his Advantage, and only skirmished him with some flying Parties, while he held Correspondence with his Friends in *Chester* Suburbs, whose Sign was the Discharge of two Pieces of Ordnance when they would issue out with Horse and Foot to join with him; upon these appearing the Enemy quitted their Station, and the General, with a Party, advanced to take the most convenient Ground, giving Command to Col. *Parsons*, Quarter-Master General of the Army, and Col. *Sandys*, (who performed the Duty of Commissary-General of the Horse during the aforesaid March, being then employed to the Committee of both Kingdoms) to order up the rest, which was opportunely done; for they joined with the Auxiliary Forces of Horse and Foot in the Enemy’s Ground, and were drawn into many small Divisions and Reserves, being much over-numbered by the Enemy, who accounted themselves 5000 Horse, and General *Pointz* not above 2500 Horse, besides two small Bodies of Foot, who were disposed in the two outmost Intervals of Horse.

‘ Upon the very Instant of this Junction the Enemy advanced with their whole Body, and the General

AN. 21. Car. 1.

1645.

September.

General, leaving Charge of the Reserve to Colonel *Parsons*, took Care of and led up the *Van-Divisions*; with which, after a round Volly of Shot from the Foot, he joined Battle, charging the Enemy in Front and Flank where his Horse was deeply wounded in the Head; but being continually seconded with Reserves, as often as there was Occasion,, the rest being kept entire and following at a due Distance, at length so prevailed that the General put the Enemy to a total Rout: And altho' the Pursuit was as hot as could be expected from such wearied Horse, thro' narrow dirty Lanes and over Ditches, the Enemy rallied, on a great Moor-side off *Chester*, in two vast Bodies a great Distance asunder. The first, not without some Dispute, were again routed; and the other likewise, who retreated upon the *Warwick* Regiment with such Violence, as bore them away confusedly, intermixt with the flying Enemy, up to the Out-works of the Suburbs. The Musqueteers within were not less liberal of their Gun-shot; but the Divine Providence appeared much in the Distribution of the impartial Bullets, few or none lighting upon our Men, tho' many of the Enemy were found there expiring.

A Body of Horse, all the while of these last Disputes, appeared fixed on the Top of a Hill, a little Distance on that Side *Chester* wherein the King was very confidently reported to be; for confronting whereof a Party of Foot, winged with Col. *Lydcott* and Col. *Bethell's* Regiments, were drawn into a convenient Close at the Bottom, as a grand Reserve; but the Night by this Time falling, the Body on the Hill appeared not, and those in the Bottom returned to their Comrades, satiated with the Slaughter, Prisoners, and Booty of the vanquished Enemy.

While these Things were thus agitated in the Field, the Remainder of Foot, left with Colonel *Lowther* in the Suburbs, were not idle; for the Enemy made a strong Sally upon them out of the City, and were more strenuously repulsed.

The

‘ The Number of the Slain, and of the Prisoners and Horse taken, is not yet known, but is generally conjectured to be 800 slain, besides 1500 Men and 2000 Horse taken. There was brought in that Night the under-written List of the most considerable Men taken and killed in the Fight, the King with about 5 or 600 was seen going to the Walls.

An. 21. Car. I.

1645.

September.

‘ Prisoners taken. Sir Thomas Glemham, Sir Thomas Dacres, Sir Philip Musgrave, Sir Thomas D’Abridgecourt, Sir Thomas Gore, Sir Thomas Weston Son to the Earl of Portland; James Martin, Quarter-Master-General; Colonels, Cromwell and Gifford; Lieutenant-Colonels, Edward Hatton, Constable, and Wigmore; Captains, Wyvill, Cotterell, Morgan, Mountain, L’Estrange, Swinhoe, and Constable. It is reported that Sir Marmaduke Langdale is slain, as also the Earl of Litchfield, Brother to the Duke of Lenox, and Sir Bryan Stapylton, the King’s Agent for 10,000 Men in Ireland.’

For this and many other vast Advantages, lately gained over the King, whose Armies and Garrisons were now almost entirely broke and subdued in all Quarters, the Houses made the following Order for a Thanksgiving:

Ordered by the Lords and Commons assembled in Parliament, ‘ That Thursday next shall be set apart for a Day of Thanksgiving unto Almighty God, for his great Mercies and Blessings upon the Parliament’s Forces under Colonel-General Pointz, against the King’s Forces near Chester, on Wednesday last, the 24th Instant; and likewise for God’s great Mercy upon the Parliament’s Forces in taking of Bristol, and the Devizes; the Success in Pembrokeshire given to the Forces under Major-General Laugharne; and for God’s great Mercy in Scotland; in all Churches and Chapels of London and Westminster, and within the Lines of Communication; and on Thursday next come Fortnight in all other Parts of the Kingdom.

A Thanksgiving appointed for that and other Successes.

An. 21. Car. I.
1645.

October.

‘ And Alderman *Pennington* is appointed to desire
 ‘ the Lord Mayor to give timely Notice hereof to
 ‘ the Ministers of the Churches and Chapels in
 ‘ the Lines of Communication.

‘ And it is farther *ordered*, That the Members
 ‘ of the House of Commons do send Copies of
 ‘ this *Order* to the respective Committees of the
 ‘ several Counties, to the End that they may
 ‘ be so dispersed, that the Counties may take
 ‘ timely Notice hereof, that the Day may be kept
 ‘ with that Observation as is due to so great
 ‘ Blessings.’

The Lord Sa-
 ville, who had
 been bail’d, re-
 committed.

October 1. The House of Lords having admit-
 ted the Lord *Saville* to Bail, and he thereupon set at
 Liberty, the Commons, at a Conference, repre-
 sented this to the Lords as wronging their Justice,
 for these Reasons: ‘ That the Lord *Saville* having
 taxed Mr. *Holles* with keeping Correspondence
 with the Lord *Digby*, and revealing their Secrets
 to the Enemy; a Crime no less than High Trea-
 son, if true: And grounding all this upon a *Let-
 ter*; which, not proving, he was liable, as making
 himself thereby the Author of the Report, to be
 punished as a false Accuser: That the Lord *Sa-
 ville’s* having prevaricated before the Committee,
 and refused to declare from whom he received that
Letter, was a high Contempt of their House;
 and therefore it was against all Law and Reason,
 that a Person committed for a Contempt of a
 Court should be bailed by that Court whilst he
 continues in that Contempt. Besides, the Com-
 mons urged that they had other Matters against
 him; as his holding Correspondence with the E-
 nemy, and his sending them Notice what was do-
 ing in the Houses and in the Army, &c. For all
 which the Commons desired that the Lords would
 remand the Lord *Saville* back to the *Tower*, there
 to remain close Prisoner as he was before, till he
 conform to the *Order* of both Houses;’ which
 was done accordingly.

A

A Remonstrance from the Scots Commissioners to the Parliament was next read, complaining of Want of Pay for their Army, and other Inconveniencies they met with; which cannot be better expressed than in their own Words.

An. 21. Car. I.
1645.
October.

September 29, 1645.

‘ UPON the 26th of this Instant, your Lordships did communicate to us the *Resolutions* of both Houses, to which you desired a speedy *Answer*; and further acquainted us, That the *Papers* by us lately given in were under Consideration of the House; and that we should receive their *Answer* with all Conveniency. Upon the 27th your Lordships renewed the same Desires.

A Remonstrance from the Scots Commissioners, complaining of their Army's Want of Pay.

‘ We cannot give a positive *Answer* to the Desires of both Houses, concerning the Disposall of the Army, because it is not in our Power; but we shall communicate their Desires forthwith to the Committee with the Army, and press them, with all the Earnestness we can, to which we expect they will be ready to give all just Satisfaction so far as the Season of the Year may admit; and, in the mean time, we desire a speedy *Answer* to our *Paper* of the 4th of this Instant, and the other of the 11th, so far as concerns Money, Arms, and Ammunition; which is still as necessary for the Accomplishment of our Desires, as if the Army had marched into *Scotland*; and the speedy providing thereof will be a great Encouragement to that Army, and a Furtherance to their Undertakings.

‘ It is well enough known to the Honourable Houses how far that Army hath formerly been disappointed of Provisions, having, for Instance, received but one Month's Pay these seven Months past; how much their Proceedings have been retarded this Summer, and some of their Undertakings frustrated, for want of necessary Accommodation: And we desire it may be considered what Hinderance it may be to the Public Service, if, for the future, effectual Course shall not be taken for their Entertainment, and other Necessaries.

AN. 21. CAR. I.
1645.

October.

‘ It is agreed upon by the *Treaty*, That 31,000 *l.* should be monthly allowed and paid towards the Maintenance of that Army, for real Performance whereof many *Declarations* have been made by the Honourable Houses of Parliament, before and since the Entry of that Army into this Kingdom; and finding the Monies, arising out of the Assessments and Revenues of the *Northern Counties*, were not sufficient for the Maintenance thereof, they did, in *February* last, pass an *Ordinance* of Parliament, for assessing 21,000 *l.* monthly upon the several Counties therein mentioned; of all which, there being now full seven Months past, there is only come in to the Committee at *Goldsmiths-Hall*, 1200 *l.* which, together with 19,000 *l.* yet to be brought in, they are obliged to repay to the City of *London* for the Month’s Pay by them advanced; so that there is no Probability that any considerable Proportion can, for a long Time, be brought in to supply the Necessities of that Army; especially there being two other Assessments, which preceded the Assessments for the *Scots Army*, although the *Treaty* between the Kingdoms doth precede them all, and ought to be observed as soon as any particular *Ordinance*; and those Assessments, for other Armies, are really executed, and Monies thereupon collected by the Counties and brought in; whereas the Assessment for the *Scots Army* is almost wholly neglected, is not executed by others, and cannot be executed by us, our very demanding the Question being clamoured against as intermeddling with their Estates; neither is it our Desire in the least Kind to intermeddle, provided that it were remembered that not a written *Ordinance*, but real Payments, can satisfy the Necessities of the Soldiers.

‘ By the same *Ordinance* of the 20th of *February*, 1644, the Commissioners of Excise appointed by *Ordinance* of Parliament, or their respective Deputies and Sub-commissioners, are ordained to pay 3000 *l.* monthly out of the whole Excise arising out of the six *Northern Counties* to that Army; and

‘ and though the Excise is accounted, and doth really An, 27. Car. I.
 ‘ prove to all others, to be one of the best Securities 1645.
 ‘ within the Kingdom, yet Ways are taken to
 ‘ make it ineffectual to that Army; so that there
 ‘ hath not been 100 *l.* thereof received in all for
 ‘ these five Months past, the Profits thereof being
 ‘ almost wholly anticipated and forestalled here in
 ‘ the *South*, and applied to other Uses; and in all
 ‘ Appearance shall still continue in that Condition,
 ‘ unless the Honourable Houses give further Order
 ‘ herein to the Commissioners of Excise, for Pay-
 ‘ ment of that 3000 *l.* to the *Scots* Army, accor-
 ‘ ding to the Intent of the *Ordinance*.

October.

‘ Concerning the Coal of *Newcastle*; the Price
 ‘ thereof hath been so much diminished, and the
 ‘ Trade thereby decreased, that, this last Month,
 ‘ the Profits thereof have not amounted to above
 ‘ 800 *l.* whereas they were estimated by your
 ‘ Lordships, in a Paper of *November* 1644, to
 ‘ 7000 *l.* *per Menssem*, for and towards the Pay-
 ‘ ment of the 31,000 *l.* monthly due to the *Scots*
 ‘ Army.

‘ There was also 200 *l.* *per Diem*, lately ap-
 ‘ pointed to be paid to the Infantry of that Army,
 ‘ whereof they never received one Penny to this
 ‘ Hour, as was certified to the House of Commons
 ‘ by their Commissioners, in their *Letter* of the
 ‘ 31st of *August*.

‘ These Obstructions and Failings in the Ways
 ‘ appointed by the Houses for the Entertainment
 ‘ of that Army, with divers others, we have repre-
 ‘ sented in our former *Papers*, to which we have
 ‘ never received any *Answer*, nor seen any effectual
 ‘ Course taken for Redress thereof: And if the
 ‘ Houses shall be pleased to remove these Obstruc-
 ‘ tions, supply the Defects, and take an effectual
 ‘ Course for their Entertainment, the *Scots* Army
 ‘ will be very far from giving the least Occasion to
 ‘ the Parliament to make any Declaration more
 ‘ concerning them than other Armies within the
 ‘ Kingdom, against laying of Taxes, or levying
 ‘ any Contribution upon any County or Part of

An. 21. Car. I.

1645.

October,

the Kingdom, or giving any Cause of Complaint to the Country. And we are persuaded it is the earnest Desire of that Army to evidence, according to the 9th Article of the *Treaty*, That their Entrance into, and Continuance in, *England* shall be made Use of to no other Ends than are expressed in the *Covenant and Treaty*.

But if no effectual Course shall be taken for their Entertainment, according to the *Treaty*, and that it shall not be thought lawful for them to provide for their necessary Subsistence in the Parts where they shall reside, we leave it to the Houses of Parliament to judge, whether it must not inevitably follow, that they shall either starve or disband; which we are confident is as far from the Intentions of the Honourable Houses, as it is against the Law of Nature, the Cause wherein, and the *Covenant and Treaty* whereby, that Army was engaged.

These Things, out of the Conscience of our Duty, and Sense of the Trust reposed in us, we could not forbear to express for our Exoneration; nor do we represent them to expostulate for the Time past, but that a speedy and effectual Remedy may be taken by the Honourable Houses for the future, whereby that Army may be enabled and rendered more active in advancing the Public Service.

By Command of the Commissioners for the Parliament of Scotland,

JOHN CHIESLEY.

Ordered to be communicated to the House of Commons; and to put them in mind also of a Message concerning the Prince's Letter to Sir Thomas Fairfax.

Oct. 9. Another Remonstrance from the Scots Commissioners was read in the House of Lords, as follows:

Another relating to their March to besiege Newark.

TO give a more positive Answer to the Desires of the Houses, concerning the marching of the Scots Army to besiege *Newark*, was not

‘ not in our Power nor in the Bounds of our Com-
 ‘ mission ; but what was in our Power, for satis-
 ‘ fying the Desires of the Houses, that we have
 ‘ done with all Diligence ; for we did forth-
 ‘ with communicate the Desires of the Houses to
 ‘ the Committee of the Parliament of *Scotland* re-
 ‘ siding with the Army, and entrusted for their
 ‘ Part with the Power of disposing of the Army,
 ‘ and with all Earnestness did press a speedy and
 ‘ satisfactory *Answer* ; which we do shortly expect,
 ‘ because, by *Letters* which we have received by
 ‘ this Post, we understand there is a Meeting of
 ‘ that Committee and of some of the General Of-
 ‘ ficers of that Army upon the Borders with the
 ‘ Committee of *Scotland* ; and we are very hope-
 ‘ ful the Result of their Consultations shall tend
 ‘ to the bettering the Condition of that Army, the
 ‘ advancing of the Public Peace, and the satisfying
 ‘ of the Desires of both Houses of Parliament.

An. 27. Car. I.
 1645.

October.

‘ As it shall be our earnest Desire and constant
 ‘ Endeavour, that the *Scots* Army may be active
 ‘ in the prosecuting of the War, untill the Peace of
 ‘ both Kingdoms be settled ; so we cannot but re-
 ‘ new our Desires to the Honourable Houses, to
 ‘ take more to Heart the Necessities of that Army,
 ‘ the Removal of the Obstructions, and Supply of
 ‘ the Defects of the Ways appointed for their
 ‘ Maintenance ; and we earnestly entreat for a
 ‘ speedy *Answer* to the Particulars represented by
 ‘ us in our formers *Papers* concerning the Army,
 ‘ and for settling of Religion, and procuring the
 ‘ Common Peace of both Kingdoms ; which were
 ‘ the main Causes and Ends that engaged us in
 ‘ this War.

‘ It may be equally considered by the Honourable
 ‘ Houses, when now the Kingdom of *Scotland*,
 ‘ out of their earnest Desire, upon the Grounds
 ‘ contained in the *Covenant* and *Treaty*, to procure
 ‘ the Peace of this Kingdom, have denied them-
 ‘ selves, and lost their own Peace, and are oblig’d,
 ‘ by *Covenant*, *Treaty*, and joint *Declaration* of
 both

An. 21. Car. 1.
1645.

October.

‘ both Kingdoms, never to lay down Arms till the
‘ *Peace* of both be settled, to what Straits the
‘ Kingdom of *Scotland* is brought, if the Houses of
‘ Parliament, being earnestly and frequently de-
‘ fired by that Kingdom, shall delay to join in
‘ seeking a safe and well-grounded *Peace*, upon
‘ Terms already agreed upon by the joint Consent
‘ of both Kingdoms, and in the mean Time shall
‘ not provide a sure Way of Entertainment for
‘ the *Scots* Army, and thereby enable them, accord-
‘ ing to the *Treaty*, to prosecute the War.

‘ When this is laid to Heart by the Wisdom and
‘ Brotherly Affection of the Houses of Parliament,
‘ we do not doubt but, in their Justice and Equity,
‘ they will judge of our Difficulties and Desires as
‘ if they were their own, and will determine and
‘ do as in the like Case they would expect from
‘ the Kingdom of *Scotland*.’

*By Command of the Commissioners for the Par-
liament of Scotland,*

October 9, 1645.

JOHN CHIESLEY.

The Houses seem’d to take little Notice of these
Memorials, by their giving no *Answer* to them all
this Time; but, however, soon after they did
answer them to some Purpose.

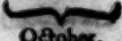
Oct. 11. A remarkable *Letter* from the Earl of
Lincoln is entered in the *Lords Journals* this Day,
relating to his having omitted taking the *Solemn
League and Covenant*; which, with the *Resolutions*
of the Lords thereupon, run thus:

To the Right Honourable the Lord GREY of
Warke, or any other who is Speaker *pro Tempore*
of the House of LORDS, to be communicated to
their Lordships.

My Lord,

A Letter from
the Earl of Lin-
coln, concerning
his not taking
the Covenant,

UPON Resolves in the House of Lords, the
10th of August 1644, now fourteen Months
since, That no Member or Assistant of that House,
not

not having taken the National Covenant, shall sit An. 21. Car. 1.
 in the House after the 17th of the same Month, be- 1645.
 fore the taking thereof; finding myself debarred of 
 the undoubted Right of a Peer to sit in Parliament, October.
 the most antient and greatest Honour, as I conceive,
 belonging to the Peerage, I have, in this Length of
 Time, according to the best of my Judgment, weighed
 with myself the Cause of my Sequestration; and be-
 ing deprived of this my undoubted Privilege, with-
 out any Charge against me personally made, nor any
 Judgment upon me given, which should render me
 unworthy and incapable to enjoy my Privilege; (in
 which Case and Proceeding I never doubted the
 Power of either House over their Members,) I hum-
 bly offer to their Lordships, Whether, for a bare
 Omission, or deferring upon a Scruple of Conscience,
 wherein I yet remain unsatisfied, to do that which is
 not imposed by any Act or Ordinance of Parliament,
 with any Penalty, upon the meanest Subject, that
 myself should be debarred of the highest and most
 undoubted Privilege of a Peer? This I hold it my
 Duty to intimate to their Lordships for the present,
 and for Posterity, that that Vote may be, as many
 others have been, taken into their further Honour-
 able Considerations, and myself freed from the Re-
 straint of enjoying my Privilege, which I have, with
 your Lordships, by Ordinance of this Parliament,
 protested to maintain. My Lord, I do, in this, not
 look meerly upon mine own Interest, but upon the
 high and general Concernment; and rest

Your Lordship's

most humble Servant,

Berkshire-House,
 Oct. 10, 1645.

T. LINCOLNE.

This Letter the Lords ordered to be taken into
 Consideration on the 13th Instant; when a Mes-
 sage from the House of Commons, Aug. 10, 1644,
 and a Vote of this House upon it were read, con-
 cerning the Peers taking the Covenant; and, after
 De-

74 *The Parliamentary HISTORY*

An. 21. Car. 1. Debate, it was *resolved*, upon the Question, 'That the said *Vote*, now read, should be repealed. Thereupon, the Earl of *Lincoln* was called in to take his Place in that House as a Peer.

1645.

October.

An *Ordinance* was this Day agreed to for borrowing 40,000*l.* at the Rate of 8*l.* per Cent. Interest, to be raised by voluntary Subscriptions or by Assessments, &c.

Oct. 15. The Lord *Roberts*, from the Committee of both Kingdoms, reported several *Papers*, which were read to the Lords as follow ;

Letters from the Lord Digby, the Earl of Leven, and other Papers read, relating to the Siege of Newark.

Die Martis, Octobris 14, 1645.

At the Committee of both Kingdoms at *Derby-House*, ordered, 'That a *Letter* from the Committee of both Kingdoms residing at *Berwick*, with the inclosed from the Lord *Digby* to the Earls of *Leven* and *Calendar*, and the Earl of *Leven's Answer* ; as also a *Paper* sent from *Nottingham*, and the Extract of a *Report* of a Scout to Col. *Doyley*, be all read to both Houses.'

The Lord DIGBY'S LETTER.

To the Right Honourable the Earl of *LEVEN*, General, and the Earl of *CALENDAR*, Lieutenant-General, of the *Scots Forces* now in *England*,

My Lords,

HAVING formerly written to your Lordships, by his Majesty's Command, upon a Subject highly importing the Peace and Happiness of all his Majesty's Dominions, I am again commanded to tell your Lordships, That, in Confidence of the good Effects thereof, his Majesty is, through many Difficulties, advanced hither to *Newark*, with a considerable Body of Horse ; and doth earnestly desire that

he

be may receive, with Expedition, an Answer to what An. 21. Car. I.
was then proposed by, 1645.

Newark, Oct. 4.
1645.

My Lords,

Your Lordships

most humble Servant,

GEORGE DIGBY.

October.

The Earl of LEVEN'S ANSWER.

For the COMMANDER in CHIEF of the FORCES
now with his MAJESTY,

My Lord,

I Received here, upon the 8th Instant, a Letter
from the Lord Digby, bearing Date from New-
ark, the 4th of October, a Copy whereof is here
inclosed, relating to one formerly sent by him, by
his Majesty's Command, upon a Subject highly im-
porting the Peace and Happiness of all his Domi-
nions; to which Letter I can return no Answer,
having never received it; but had it come to my
Hands, or any Motion of that Nature, I should, as
I have done with this, addressed them to the Parlia-
ments of both Kingdoms, or their Commissioners, as
only capable of receiving and answering such Pro-
positions. I am,

My Lords,

Berwick, Oct. 9.
1645.

Your Lordships humble Servant,

LEVEN.

The LETTER from the COMMITTEE at Berwick
to the Committee of both Kingdoms sitting at
Derby-House.

My Lords and Gentlemen,

A Trumpet came from Newark with this inclosed
Letter, directed to the General and Lieutenant-
General of the Scots Army. It was opened at North-
allerton by the General of the Artillery, who com-
mands in Chief there: He sealed it again, and sent
the

An. 21. Car. 1.
1645.

October.

1. the Trumpet with a Servant of his own hither to the General; who hearing what it was, would not open it till he sent for the Marquis of Argyle, the Earls of Lauderdale and Lanerk. They immediately brought it to the Commissioners of the Parliament of England, and all of us resolved to send it to your Lordships, to be by you communicated to both Houses of Parliament. The General protests he never saw any other Letter, which this seems to import, nor any from the Enemy, except that which he sent to London from Ledbury; and hath returned this Answer, which you will receive here inclosed from,

My Lords,

Your Lordships

Berwick, Oct. 9.
1645.

Affectionate Friends and Servants,

ARGYLE,	W. ARMYNE,
LAUDERDALE,	H. VANE,
LANERK,	RO. GOODWYN,
P. WHARTON,	THO. HATCHER.

An INFORMATION sent from Nottingham.

GGeorge Higgins of Eakin informeth from Mr. Hawden of Tuxford, in the County of Nottingham, Minister, and by his Order and Direction, ' That a Trumpet belonging to Col. Eyre of Newark, passing thro' Tuxford, on Sunday the 5th of this Instant October, did, in the Presence of the said Mr. Hawden, say and affirm, That he was going with Letters from his Majesty and from Sir Richard Willis, Governor of Newark, to General Leven, with Hopes to bring him back with his Army to Newark, for the King, with as much Joy as ever he did come for the Parliament: And Mr. Hawden did see two Letters in the Hand of the Trumpeter. And two Scots Gentlemen being at Tuxford with Mr. Hawden the same Day, he did affirm to them, That the King
' and

and General *Leven* had been long in Treaty, and he did not doubt but it was effected, and that this Letter would bring him back.

An. 31. Car. 1.
1645.
October.

Taken at Nottingham in the Presence of us,

October 6, 1645.

FRA. THORNHAUGH,
CHARLES WHITE.

The Scout's Report that came from *Oxford*, who saith, 'That on *Wednesday* Night, very late, came in a Messenger from the King, who did report, That all the Forces of the *Scots* who were about *Hereford*, are agreed to come to the King; and that they are in as much Joy for that as for the Coming of the new Governor.'

All the aforesaid *Papers* were ordered to be communicated presently to the House of Commons by Message; and accordingly Sir *Edward Leech* and Mr. *Page* were sent with them.

The same Day the Lord *Roberts* reported a Conference with the Commons, wherein two Letters from the *North* were exhibited, and several Resolutions of that House thereupon.

These Letters were addressed to their Speaker, *William Lenthall*, Esq; And first that from the Committee of the House of Commons then residing at *York*.

S I R,

TO appease a dangerous Mutiny, at the Time when the King, with his Forces, advanced into this County, and sent out Proclamations that all from sixteen to sixty should come unto him for guarding of his Person to this City; and for the encouraging our Horse, both Officers and private Men, we promised them a Month's Pay, which was the least of their Demands. We have with much Labour, and by Engagement of our particular Credits, advanced a Fortnight's Pay unto the Troopers; but it is impossible for us to pay the rest unto them out of these Parts, which are so impoverished; and the whole

A Complaint
from the Committee at York,
against the Scots
Army,

78 The Parliamentary HISTORY

AN. 21. Car. I. *whole North-Riding is now not only taken up in Quarters, but also exceedingly assessed in Money, by the Scots; so that we cannot raise sufficient for the growing Pay of the Foot. The Horse do again begin to make high and peremptory Demands of their Fortnight's Pay in Arrear; which, if not speedily paid, will occasion as high, if not an higher, Mutiny than the former. We hear from London, that the 10,000l. is already taken up by the Horse Officers, and for Discharge of other Debts and Engagements; so that there is no other Way left for keeping our Horse together upon Service, than a present Order to be given by the Parliament for advancing that Sum, which will amount unto 3000l. or thereabouts. We earnestly intreat you to acquaint the House therewith, on whose Favour we rely, hoping a speedy Course will be directed by them for making Supply hereof, otherwise we cannot be able long to do them Service in these Parts. We remain,*

S I R,

York, Oct. 4, 1645.

Your humble Servants,

FRANCIS PIEREPOINT, JAMES BELLINGHAM,
WILLIAM LISTER, JO. WASTELL.
WILLIAM ALLANSON,

The other Letter was from the Commissioners of Assessment in the several Ridings of Yorkshire.

S I R,

And another from the Commissioners of Assessment in that County.

IT hath often been represented from this County, that the intolerable Burdens of Armies, English and Scots, have reduced great Numbers of Families to the Extremities of Poverty; for the Redress whereof earnest Request hath been made from the Commissioners, in behalf of the Inhabitants of the Country; who, having lately received some Relaxation of their Sufferings, by the Removal of the Scots Army Southwards, and the reducing sundry of the Enemy's Garrisons, were settling themselves to some Industry to support themselves withall; wherein they were

were not a little encouraged by the Ordinance of An. 27. Car. I. Parliament, appointing the Charge of the Scots Army to be indifferently supported by a general Assessment laid upon the Kingdom, whereof they were only to bear a proportionable Share: But now, as soon as their Harvest is reap'd, and Provisions made by every Family for their proper Subsistence for the Year following, the Scots Army is unexpectedly return'd into these Parts again: And albeit we, the Commissioners of the several Ridings, have made known unto them, that we neither have Authority to impose any such Burden upon the Country, and, if we had such Power, yet that we know the Country unable to bear them, without the universal Ruin of the Inhabitants; nevertheless the Commanders of the said Army have, of themselves, taken up Quarters in the North-Riding, and spread their Charge, and send out their Warrants in other Parts of the County, requiring from the People such vast Sums of Money and Proportion of Provisions, as have not been heard of in other Parts of this Kingdom; which nevertheless they force the People to bring in to them.

1645.
October.

These Impositions, thus laid by them upon the Country, as we understand by daily Complaints brought to us from several Places, are, in most Parts of the Country, after the Rate of 144,468 l. per Menssem, being distributed in the same Measure thro' the whole Country, and in some other Parts not so much; but in no Place, that we have yet heard of, less than after the Rate of 45,000 l. per Menssem; and all this taken under Pretence of Order from their Superior Officers, besides the infinite Oppressions and Extortions of the Soldiers, who take away the Subjects Horses, Goods, and Money, without any public Order, which we conceive may equal the Proportion of their certain Assessments.

These insupportable Burdens must of Necessity produce an universal Poverty and Desolation of the Country, and so prepare the Dispositions of the People to desperate Associations and Resolutions, to rise

An. 21. Car. 1.

1643.

October.

rise in opposition; which, how destructive it may prove to the present Union of the two Nations, we leave to your Consideration. And we may not omit herewith to represent unto you, as a Matter conducing to the same End, that the Ways to raise Money in this County, for the Pay of our own Army, being wholly obstructed by those Levies of the Scots, that take up the whole Substance of the Country, it will be impossible to restrain our own Soldiers, who were mutinous before; but that now their Distempers will be much increased, and being united to an oppress'd People, may give a more speedy Vent to the Heart-burnings and Discontents contracted by these Sufferings, which visibly tend to the utter Confusion of this Country.

Sir, whatsoever our succeeding Miseries may be, yet we conceive we have now fully discharged our Duties in making this Remonstrance of our Sufferings to that Honourable House, which is the only Place, under Heaven, from whence we can hope for Relief; and our Request is, in order to the Prevention of these imminent Dangers, that the Scots Army may be immediately removed from these Parts, and some Course taken for Reparation of the Country's Sufferings by the other Parts of the Kingdom liable to the Burden of that Army; which we humbly desire may be immediately presented by you to the House from

Your most affectionate

York, Oct. 3,
1645.

humble Servants,

J. AISLABIE.
R. ROBINSON.
W. ALLANSON.
JA^s. CHALLONER.
JOHN MILLINGTON.
RO. WYMORE.
JO. FARRER.
THO^s. CHALLONER.
JOHN CLAYTON.
MATTH. BOYNTON.

RICHARD DARLEY.
ROBERT BARWIS.
ROBERT LEGARD.
JOHN WASTELL.
THO^s. STOCKDALE
THO^s. DICKINSON.
THO^s. ST. NICHOLAS.
W^m. ARMITAGE.
JO. BRIGHT.
CHAR. RIDLEY.

The

The Lord *Roberts* farther reported, That Mr. *Tate*, one of the Managers at the Conference, said, That at the same Time the foregoing *Letters* were read in the House of Commons, they had also received from their Lordships two *Papers*, which had been delivered in by the *Scots* Commissioners, one dated the 29th of *September* last, and the other the 9th Instant, upon all which they had passed these *Votes*:

AN. 21. CAR. I.
1645.

October.

1. ' That this House doth declare, That as they are bound by the *Covenant* and *Treaties* to maintain the Union and good Correspondence between the two Kingdoms, so it is their Resolution to employ and continue their utmost Endeavours to maintain the same accordingly.

Votes of the
House of Com-
mons in Confe-
quence thereof.

2. ' That the *Scots* Army's not engaging against the Enemy, according to the Desires of both Houses of Parliament, and their Continuance in the *Northern* Parts, contrary to those Desires, is not only unserviceable, but prejudicial to those Ends for which their Assistance was desired, and destructive to those Parts of the Kingdom.

3. ' That their laying of Taxes, and raising of Money upon the Subjects of this Kingdom, and plundering their Houses and Goods, is against the *Treaty*, and against the Liberty of the Subject, which both Kingdoms are bound to preserve; and doth disable the Kingdom from paying the monthly Assessments for the Maintenance of that Army and the Forces of the *Northern* Association.

4. ' That it be declared to the Inhabitants of the *Northern* Association, That they are not bound to pay any such Monies as are or shall be taxed upon them, without the Power or Authority of both Houses of Parliament, by the *Scots* Officers, or any other Person.

5. ' That whatsoever Goods, Monies, Horses, or Provisions have been, or shall be, taken from any the Inhabitants of the *Northern* Association, or of any other Parts of this Kingdom, without the

Ann. 21. Car. I.

1645.

October.

Power and Authority of both Houses of Parliament, by any of the Scots Army, shall be repaid unto them out of the Monies designed for the Maintenance of that Army.

6. That such Commissions shall be issued under the Great Seal, into every County of this Kingdom where they shall be desired, for the certifying what Money, Billet, Horses, Cattle, Goods or Provisions, have been levied or taken by any of the Scots Army; with like Powers and Authorities as are contained in the Commissions already issued, in that Behalf, into divers of the Northern Counties.

7. That whatsoever Money, Horses, Goods, or Provisions have been, or shall be, levied or taken by the Scots Army, upon the Inhabitants or Subjects of the Kingdom, shall be accounted as so much of the Pay of the Scots Army; and that this Kingdom is disengaged from the Payment of so much as the same, upon Proof, shall amount unto.

8. That in case the Pressures of the Scots Army upon the Subjects of this Kingdom be continued, and unless Satisfaction shall be given touching those Pressures, it cannot be expected that this Kingdom shall make Payment of 31,000 *l.* per Month to the said Army.

9. That it be desired that Satisfaction should be given to this Kingdom, that such Forces of the Scots Nation as have been put into the several Garrisons of Newcastle upon Tyne, the City of Carlisle, and Town of Hartlepool, the Castles of Tynmouth, Warkworth, Thirlewall, and Stockton, without the Consent of both Houses of Parliament, may be forthwith removed; to the end they may be disposed of in such Manner as shall be thought fit by both Houses of the Parliament of England.

10. That the Letters from the Committees of York, of the third and fourth of this Instant October, with the Votes thereupon, be communicated to the Lords at a Conference.

11. That the Votes formerly passed the House, for removing the Obstructions that happen in bring-

bringing in the Assessments for the Scots Army, An. 21. Car. I.
and for the providing of 30,000 l. for that Army
upon their coming to *Newark*, be communicated
to the Lords at this Conference.

1645.

October.

12. ' That the House do sit in a Grand Committee every *Tuesday* and *Thursday*, immediately after Prayers, to take into Consideration the Matter of *Propositions* for a safe and well-grounded Peace; and that this Committee do begin first to sit To-morrow after Prayers.

13. ' That *Wednesday* next, between the Hours of Ten and Twelve, be appointed for the reading of the *Ordinance*, the third Time, concerning Church-Government; and that the Members be enjoined all to attend.

The Lord Roberts added, That, at the said Conference, Mr. Long reported from the City, That they would endeavour, and were in good Hopes to effect, the providing of 30,000 l. for the Scots Army, in case they should be before *Newark* by the first of *November*, otherwise not; and he further read these Votes following, made by the Commons:

1. ' That the Scots Answer, touching the marching their Army to besiege *Newark*, is not satisfactory.

2. ' That the Scots Commissioners be desired to give a positive and speedy Answer, touching their Army's marching to besiege *Newark*.

3. ' That some Gentlemen be sent into the City of *London* to borrow 30,000 l. towards paying off the Scots Army; and that the Assessments, due and payable out of the several Counties for that Army, shall be the Security for Payment of the said Money, together with Interest for the Forbearance thereof.

4. ' That *Thursday* next be assigned for the Committee at *Goldsmiths-Hall*, to report to this Committee the Obstructions concerning the not coming in of the Assessments for the Payment of the Scots Army.

F 2

5. ' That

An. 27. Car. I.

1645.

October.

5. 'That 200 Barrels of Powder, with Bullets proportionable, and a double Proportion of Match, be forthwith provided and furnished for the *Scots Army*, in case they shall be before *Newark* by the first of *November*.'

At this Conference, also, Mr. *Long* declared, That upon the Report of the Committee, which the House of Commons sent to *Goldsmiths-Hall* to know the Obstructions of the coming in of the Assessments for the *Scots Army*, that House had also made these further *Resolutions*:

1. 'That the Committee at *Goldsmiths-Hall* do forthwith put in Execution all such Powers and Authorities as are given unto them, for the effectual bringing in of the Assessments for Payment of the *Scots Army*; and that if any Committee, or Member thereof, or other Officer employed by them, do obstruct the speedy bringing in of the said Monies, that they do send for them, and require an Account of them, according to the Power given them: And that if they shall be informed of any Member of this House, that is the Cause of either diverting or obstructing the coming in of the said Assessments, that they do certify the Name and Names of such Member or Members to the House, to be proceeded with as the House shall think fit.

2. 'That whereas the Power given to that Committee is of Force only as to the Assessments, for the first four Months, for the *Scots Army*, it is now ordered, That the same Powers, in every Clause and Article thereof, shall be of Force, and applied to the effectual and speedy bringing in of the last four Months Assessments; and also for the bringing in the Arrears upon the *Ordinance* for the Loan of 200,000 *l.* for the *Scots Advance* into this Kingdom.'

By the same Report from the Committee at *Goldsmiths-Hall*, it appear'd that 1000 Breasts, Backs, and Pots, 1000 Pair of Pistols with Holsters, 7000 Musquets, 7000 Bandileers, 300 Barrels of

of Powder, 10 Tons of Match, and 10 Tons of Bullet were sent by that Committee to the Scots Army, when they marched from Newark Southward.

An. 21. Car. 1.
1645.
October.

At this Conference Mr. Long also read another *Vote*, viz.

‘ That these *Letters* from the North, and these *Votes* thereupon, be communicated to the Lords at a Conference; and their Lordships to be desired, in case they shall assent unto them, that a Committee of both Houses may be appointed to digest them into Form, to be an *Answer* to the *Papers* from the Scots Commissioners.’

Next Mr. Blackstone, said, ‘ That there were some *Letters* that came this Morning, which he was commanded to impart to their Lordships at this Conference, as follows :

For our Honourable Friend WILLIAM LENTHALL, Esq; Speaker of the House of Commons in Parliament.

Mr. Speaker,

THIS is the third Address which we have made to you, being occasioned by further and new Complaints since our last, concerning the deplorable, and now almost ruined, Estate of this County, by reason of the Scots Army quartered upon us.

Another Letter, from the Commissioners of Assessment in Yorkshire, to the Speaker,

We are most unwilling to be troublesome unto you, where we can possibly avoid it; and therefore we pray you to peruse this inclosed Copy of our Letter to General Leven, which not only will satisfy you in the Particulars of our Grievances, but that we omit no lawful Ways we can think on for our own Preservation. The Copy of his Answer to us is also herewith sent you, of whom we must needs give this honourable Testimony, That, if the inferior Officers of his Army had been as careful to maintain the good Correspondency between these Kingdoms as his Excellency hath been, we verily believe that we should not have had any Occasion of making these Complaints; but we persuade ourselves that his Commands are not

An. 21. Car. 1.

1645.

October.

observed, because our Sufferings increase daily with his Absence; so that, without present Ease, we cannot expect any Thing but sudden Ruin, for they demean themselves not as if they came only for their Subsistence, but as if purposely to destroy us.

We nothing doubt of the Parliament's equal Care of us as of other Parts of this Kingdom; and our Fidelity to the Cause assures us, that we have not merited to be designed out for Destruction; nor that we only should mourn at this present, when all England, by God's Mercies, hath such Occasion to rejoice. Our Necessities, therefore, embolden us to be thus importunate for our present Relief, being not otherwise able to appease the Cries and Tears of such a Multitude of miserable People, who daily flock to us for Redress: And it being the greatest Part of our Grief in that we are not able to help them, we humbly implore your present and speedy Assistance, who desire, with our utmost Endeavours, to approve ourselves

Your humble Servants,

RICHARD DARLEY.

AR. INGRAM.

RO. BARWIS.

W^m. ARMITAGE.

JO. BRIGHT.

JO. FARRER.

JO. WASTELL.

CHR. PEIRSE.

THO^r. BOURCHIER.

JOHN SAVILLE.

DARCY WENTWORTH.

THO^r. STOCKDALE.

JA. CHALLONER.

CHR. LEGARD.

THO^r. CHALLONER.

The Letter to General LEVEN, mentioned in the foregoing.

May it please your Excellency,

And their Letter to the Earl of Leven, on the same Subject.

IF the Cries and Lamentations of so many distressed and miserable People, who sadly apprehend their sudden Ruin and Confusion, by the Demeanor of your Army now quarter'd upon them, were as fully

ly represented to your Excellency as they are to our selves, An. 27. Car. 1.
1645.
October.
we should not need to make this Address unto you; for as we have been confident of your real Affection, both to this great Cause now in Hand, as also to our Nation; so where the one or the other may unjustly suffer, thro' the Silence of such as, being overawed by the Power of your inferior Officers, dare not make their Sufferings known unto your Excellency; we cannot, in discharge of the Duty which we owe unto the Parliament of England, which hath intrusted us with the Care of this County; nor the National Covenant; which we have made with Almighty God, whereby we have sworn, with all Faithfulness, to endeavour the Discovery of all such as have been, or shall be, Incendiaries or ill Instruments in dividing these Kingdoms one from another; unless we do in some Measure represent unto your Excellency the Discontents of our People; that, by the Amendment thereof, this County, committed to our Charge, may be preserved from Ruin, and our National Covenant maintained inviolable.

The Complaints of the People are these:

That your Army doth not only take free Quarter, contrary to your Excellency's Order, as we are informed, but lay upon the County what Assessments they please; insomuch that some small Villages, which by the Assessments of Parliament are to pay but 5 l. 4 s. the Month, are required by your Officers to pay 33 s. 4 d. a Day.

That some Towns have whole Regiments quartered upon them, and 7 l. a Day besides exacted for Assessments.

That whereas, by the Ordinance of Parliament, the County of York is to pay but 7000 l. a Month for Assessment, if this whole County were assessed proportionably, as some one Weapontake is by your Officers, it would amount unto 144,468 l. a Month.

That the Officers of your Army take up free Quarters and Billet-Money to the Proportion of three Times the Number of your Army; having spread themselves from Whitby in the East, beyond Richmond

88 *The Parliamentary HISTORY*

An. 22. Car. 1. *mond in the West, and from Teafe Northward almost to the City of York.*

1645.

October.

That the private Soldier is not content with such honest Fare as the Countryman feeds himself, his Wife and Children, withall.

That having fed their Horses with Hay and Oats, they make Havock of the rest.

That they permit not the Sequestrators to do their Duty, nor the Weapontake Courts or Courts Leet to be kept, whereby the Civil Power is overthrown.

That your Army, quartering where it can, gives this County no Assistance against the Enemy; and depriving it, by Anticipation, of the Means whereby to maintain its own Army in assisting of itself, thereby leaves it open to certain Ruin and Destruction.

They take away the Country People's Horses and their Cattle at their Pleasure, and imprison them for refusing to pay Assessments.

They will not permit our Soldiers to enjoy their Quarters allotted them by their Officers.

And, to make their Actions appear more justifiable, they enforce them, by Threatenings and otherwise, to give under their Hands (notwithstanding their hard Usage) a Certificate unto your Excellency of their good Behaviour.

We affect not to insist upon a particular Man, neither would we have dealt so plainly with your Excellency, had we not so vehemently desired the mutual Amity and Correspondency of both Nations might be continued; and that the Sore being opened and thoroughly searched, the Wound thereby might the better be cured.

We pray your Excellency, upon the like Occasions, to be plain and free with us; and that you will seriously consider and examine the Premises; that you will please to countenance our People in their just Complaints, and to give them timely Redress, whereby they be not compelled to forsake their Habitations, or forced to undue Courses through Despair: And these Requests we move with great Confidence of obtaining,

taining, as proceeding from those who, upon all good Occasions, desire to approve themselves

An. 22. Car. I.
1645.

The humble Servants

October.

York, Oct. 4. 1645.

of your Excellency,

RICHARD DARLEY.	THO'. BOURCHIER.
AR. INGRAM.	JOHN SAVILLE.
RO. BARWIS.	DARCY WENTWORTH.
W. ARMITAGE.	THO' STOCKDALE.
JO. BRIGHT.	JA. CHALLONER.
JO. FARRER.	CHR. LEGARD.
JO. WASTELL.	THO'. CHALLONER.
CHR. PEIRSE.	

The Earl of LEVEN's Answer.

Gentlemen,

I Received a Letter of yours, dated at York the fourth of October, and in it an Account of the Country People's Grievances against our Army. I have not been many Days from them, and am exceeding sorry to hear that so short a Time hath bred so great a Change in their Behaviour. My Care hath ever been, and shall be, to preserve them in Order, and the Country from Oppression; and as I have ever been ready to hear the just Complaints of the Meanest, and to give them Satisfaction and Reparation, so I shall make it my Request to you, that all Complaints of these Kinds may be ready at my Return unto the Army, which for that very Cause I shall hasten, and you shall see Redress of them to the full; which is all for the present can be said to you at this Distance, by

His Lordship's
Answer.

Your very affectionate Friend,

LEVEN.

The Lords put off the Consideration of all these Letters and Resolutions of the Commons for two Days, and ordered all their Members to be summoned against that Time. Accordingly

Oct.

An. 27. Ch. 1.
1645.
October.

Oct. 17. All the above-mentioned Particulars being entered into, it was objected, That, by an Order of both Houses of the 24th of October, 1644, what Doubts or Objections shall arise in either House, upon Consideration of any Thing propounded concerning the Scots Armies in England and Ireland, the same shall be committed to the Committee of both Houses, appointed to treat with the Scots Commissioners; that, after Debate with the Scots Commissioners, and full Understanding of their Meaning, the Result thereof may be reported to both Houses. And it was debated, Whether the Matters of these Papers and Letters should be communicated to the Scots Commissioners by the Members of both Houses of the Committee of both Kingdoms, before any Determination of this House therein? And this Question was desired to be put; But a Question was put first, Whether these Words, *According to the Order of the 24th of October, 1644, shall be added to the Question*; and the Votes being equal nothing was concluded, and this Business was ordered to be taken into farther Consideration the next Morning.

Oct. 18. The Debate on this important Business was resumed by the Lords; and it was first carried, That the Words, *According to the Order of the 24th of October last*, should not be added; then the former Question being again put, about communicating these Matters to the Scots Commissioners, before any Determination was made in that House? it passed in the Negative. After which, every one of the aforesaid Resolutions of the Commons were severally read, and put to the Question, and all of them, unanimously, agreed to.

All the foregoing Resolutions of the Commons agreed to by the Lords.

General Pointz's Victory near Sherburne, in Yorkshire.

Oct. 20. Letters from General Pointz were read, being an Account of another great Victory gained by him against the King's Forces near Sher-

Sherburne, in Yorkshire. For this another Day of Thanksgiving was appointed.

An. 23. Car. 1.
1645.
October.

No News from Sir Thomas Fairfax having come for a long Time, the Houses began to be uneasy about that General; when this Day, Oct. 23, they were relieved by a Letter from him, which was read in the House of Lords as follows:

For the Right Honourable the Lord GREY of Warke, Speaker of the House of PEERS pro Tempore.

My Lord,

Since the Army came further West, I have not given your Lordships an Account of the Motion thereof: Upon the Army's Advance from Chard, the Enemy marched with 2000 Horse, with Intention, as we received Intelligence, to break thro' and join with the Forces about Oxford. They fell into the Quarters of our Dragooners, where they took some few Prisoners, and returned immediately. The whole Army advanced that Day after the Enemy to Honyton, where our Horse lay in the Fields all Night to watch their Motions; but coming nearer to their Quarters next Day, all the Enemy's Horse drew over the River Ex; upon which River, within three or four Miles of Exeter, I quartered both Horse and Foot, the better to keep the Enemy from making Attempt to march Eastward. With the Residue of the Army I marched to Tiverton, whither Major-General Massey was sent with some Regiments, but found the Governor resolved to hold out. It was, after Consultation, agreed on to storm the Place, the Season of the Year not admitting of much Time to be spent about it; and Yesterday, after Sermon, having called a Council of War to order the Manner of the Storm, the Gunner with a great Shot broke the Chain, whereby the Drawbridge fell down, and the Soldiers immediately entered and got over the Works with little Opposition: The Enemy fled into the Church and Castle for their Security, where they

General Fairfax's
Account of the
taking of Tiverton,

AN. 21. Car. 1.
1645.

October.

they craved Quarter for their Lives. We took Sir Gilbert Talbot, Colonel, the Governor of the Place, and about 200 Prisoners more, four Pieces of Ordnance, and thirty Barrels of Powder. The Works were very regular and strong.

The Army advanced this Day towards the Enemy Westward; and as there is further Occasion your Lordship shall not fail of an Account from

Your Lordship's

Tiverton, Oct. 20.
1645.

Humble Servant,

T. FAIRFAX.

For which the
Lords return him
Thanks.

Hereupon the Lords ordered, That a Letter be written by their Speaker to Sir Thomas Fairfax, to give him Thanks, in the Name of that House, for his great Care and Pains in the Conduct of the Army; accordingly a Letter was drawn, read, and approved of, and ordered to be sent as follows:

For the Rt. Hon. Sir THOMAS FAIRFAX, Knt.
General of the Forces raised by the Parliament.

Noble Sir,

I Am commanded by the Lords, the Peers in Parliament, to return you Thanks for the great Care, Courage and Conduct of your Army; nor is there any Thing more acceptable than the good Service, wherewith it hath pleased God to second your remarkable Endeavours at Tiverton, the Continuance of which we shall incessantly desire, and implore the Aid of the Almighty to put a Period to these unhappy Wars.

Your very affectionate Friend,

GREY of Wark, Speaker of the House
of Peers *pro Tempore*.

Oct. 25. A Letter came from the Lord Whar-
ton, out of Scotland, intimating, That, at last, the
English Commissioners had met the Scots at St.
Andrews,

Andrews, and continued the *Treaty* with them for some Time: That the latter were gone towards *Glasgow*, to hold a Parliament there, on the very Day *Montrose* had summoned a pretended one to meet at the same Place: That they had done nothing concerning *Garrisons* but what he was bringing with him to lay before the Parliament.

An. 27. Car. I.
1645.

October.

Oct. 28. A Thanksgiving was ordered by both Houses, for more Victories in *Wales*; as the reducing of the Counties of *Pembroke*, *Caermarthen*, and *Cardigan*, to the Obedience of the Parliament, by which his Majesty lost almost all his Interest in those Parts. And to shew to what a distressed Condition the King's Affairs were then reduced, we here subjoin a Series of *Letters*, which were taken in the late Fight at *Sherburne*. They were delivered to the Lords at a Conference, and this Day, Oct. 30, read in their House. As some of these *Letters* were copied into the *Lords Journals*, from Originals of the King's own Hand-Writing, and others are as authentic, they must be allowed Curiosities, since we meet with none of them in the *Collections* of the Times except that to Prince *Rupert*.

A Thanksgiving appointed for the Parliament's great Successes in *Wales*.

A Copy of the KING's *Letter*, under his own Hand, to the Lord Marquis of ORMOND.

Ormond, Caerdiff, July 31, 1645.

IT hath pleased God, by many successive Misfortunes, to reduce my Affairs of late from a very prosperous Condition to so low an Ebb, as to be a perfect Trial of all Men's Integrity to me; and you being a Person whom I consider as most intirely and generously resolved to stand and fall with your King, I do principally rely upon you for your utmost Assistance in my present Hazards. I have commanded Digby to acquaint you at large with all Particulars of my Con-

An intercepted Letter from the King to the Marquis of Ormond.

An. 21. Car. 1.

1645.

October.

Condition, what I have to hope, trust to, or fear, wherein you'll find, that if my Expectation of Relief out of Ireland be not in some good Measure, and speedily answered, I am likely to be reduced to great Extremities.

I hope some of those Expresses, which I sent you since my Misfortune by the Battle of Naseby, are come to you; and I am therefore confident that you are in a good Forwardness for the sending over to me a considerable Supply of Men, Artillery, and Ammunition. All that I have to add is, That the Necessity of your speedily performing them is made much more pressing by new Disasters; so that I absolutely command you, what Hazard soever that Kingdom may run by it, personally to bring me all the Forces of what Sort soever you can draw from thence, and leave the Government there during your Absence in the fittest Hands that you shall judge to discharge it; for I may not want you here to command these Forces which will be brought from thence, and such as from hence shall be joined to them: But you must not understand this as a Permission to you to grant to the Irish, in case they will not otherwise have a Peace, any Thing more in Matter of Religion than what I have allowed you already; except only in some convenient Parishes, where the much greater Number are Papists, I give you Power to permit them to have some Places which they may use as Chapels for their Devotions, if there be no other Impediment for obtaining a Peace; but I will rather chuse to suffer all Extremities, than ever to abandon my Religion, and particularly either to English or Irish Rebels; to which Effect I have commanded Digby to write to the Agents that were employed hither, giving you Power to cause to deliver, or suppress, the Letter as you shall find best for my Service.

To conclude: If the Irish shall so unworthily take Advantage of my weak Condition, as to press me to that which I cannot grant with a safe Conscience, and without it to reject a Peace, I command you, if
you

you can, to procure a further Cessation; if not, to make such Divisions as you can amongst them; and rather leave it to the Chance of War between them and those Forces which you cannot draw from thence to my Assistance, than to give my Consent to any such Allowance of Popery, as must evidently bring Destruction to that Profession, which, by the Grace of God, I shall ever maintain through all Extremities. I know, Ormond, that I impose a very hard Task upon you; but if God prosper me, you will be an happy and glorious Subject; if otherwise, you will perish nobly and generously, with and for him who is

An. 21. Car. I.
1645.
October.

Your assured Friend,

A Copy of the KING's Letter to Prince RUPERT.

Nephew, Caerdiff, July 31, 1645.

THIS is occasioned by a Letter of yours that the Duke of Richmond shewed me Yesterday; and, first, I assure you, that I have been, and ever will be, very careful to advertise you of my Resolutions so soon as they were taken; and if I enjoined you Silence to that which was no Secret, it was not my Fault, for I thought it one; and I am sure it ought to have been so.

Another to Prince Rupert.

Now, as for your Opinion of my Business, and your Counsel thereupon, if I had any other Quarrel but the Defence of my Religion, Crown, and Friends, you had full Reason for your Advice; for I confess that, speaking either as a meer Soldier or Statesman, I must say that there is no Probability but of my Ruin; yet, as a Christian, I must tell you that God will not suffer Rebels and Traitors to prosper, nor his Cause to be overbrowed; and whatsoever personal Punishment it shall please him to inflict upon me must not make me repine, much less give over

This Letter is dated August 3, in Royston's Edition of the King's Works; in which also the Passage in the Roman Character between Crotchets is omitted: But no Notice is therein taken of the other Letters.

An. 27. Car. I.
1645.

October.

this Quarrel. [And there is as little Question that a Composition with them, at this Time, is nothing else but a Submission;] which, by the Grace of God, I am resolved against, whatsoever it cost me; for I know my Obligations to be, both in Conscience and Honour, neither to abandon God's Cause, injure my Successors, nor forsake my Friends.

Indeed I cannot flatter myself with Expectation of good Success, more than this, to end my Days with Honour and a good Conscience; which obliges me to continue my Endeavours, as not despairing but that God may yet, in due Time, avenge his own Cause; though I must avow to all my Friends, that he who will stay with me at this Time, must expect and resolve either to die for a good Cause, or, which is worse, to live as miserable in maintaining it as the violent Rage of insulting Rebels can make him.

Having thus truly, and I believe impartially, stated my Case unto you, and plainly told you my positive Resolutions, which, by the Grace of God, I will not alter, they being neither lightly nor suddenly grounded, I earnestly desire you no ways to banker after Treaties; assuring you, as low as I am, I will do no more than was offered in my Name at Uxbridge; confessing, that it were as great a Miracle that they should agree to so much Reason, as that I should be, within a Month, in the same Condition as I was immediately before the Battle of Naseby. Therefore, for God's Sake, let us not flatter ourselves with these Conceits; and believe me, the very Imagination that you are desirous of a Treaty, [for that, at this Time, and a Submission is all one] will but lose me so much the sooner. Wherefore, as you love me, (whatsoever you have already done) apply your Discourse hereafter according to my Resolution and Judgment.

As for the Irish; I assure you they shall not cheat me, but it is possible they may cozen themselves; for be assured, that what I have refused to the English, I will not grant to the Irish Rebels; never trusting

b In the Copy of this Letter, as given in Lord Clarendon, (Vol. IV. p. 679) this Passage is omitted, as well as what follows in the Roman Character.

to that Kind of People, of what Nation soever, more than I see by their Actions; and I am sending such a Dispatch to Ormond, as, I am sure, will please you and all honest Men; a Copy whereof, by the next Opportunity, you shall have.

An. 21. Car. I.
1645.

October.

Lastly, be confident that I would not have put you nor myself to the Trouble of this long Letter, had I not a great Estimation of you, and a full Confidence of your Friendship to

C. R.

The KING's Letter to the Marquis of ORMOND, concerning the Marquis of CLANRICKARD, dated May 13, 1645.

Right Trusty and Right Well-beloved Cousin and Counsellor, we greet you well,

WE being fully satisfied of the good Affection to our Service of our Right Trusty and Entirely-beloved Cousin, Ulrick Marquis of Clanrickard, and conceiving it to be much for our Service, the Addition of a Person of his Ability to our Council Board in Ireland, are graciously pleased, and do hereby require and authorize you, to admit him into our Privy Council there; and that you administer to him the usual Oaths of a Minister of State in that our Kingdom; and as for any other Oath to be on this Occasion administered unto him, our Pleasure is, that you observe the Form expressed in the 15th Article of our Graces and Instructions sent over unto our Deputy and Council of that Kingdom, by the Agents, in the Year 1628, without requiring the said Marquis to take any other Oath; the Statute, 1. Eliz. or any other Statute, Order or Instruction, to the contrary notwithstanding. And you are to cause him to have and enjoy all Privileges, Prebeminences, and other Benefits belonging to one of our Council there; and for your so doing this shall be your Warrant.

Given at our Court at Droitwich the 13th Day of May, 1645.

VOL. XIV.

G

A

An. 21. Car. 1. A Draught of a Letter to the Marquis of ORMOND,
1645. for Commissions, &c. dated May 22, 1645.

October.

Right Trusty and Right Entirely-beloved Cou-
lin and Counsellor, we greet you well,

Another con-
cerning granting
Commissions to
the Roman-Ca-
tholicks in that
Kingdom.

*W*Herein, upon the Treaty of Peace, you did for
us, amongst other Things, and in our Name,
agree with those who treated with you in the Behalf
of the Confederated Roman-Catholicks, that they
should continue the Possession of such of our Cities,
Towns, Forts, and Castles which they now have
under their Obedience, untill there be such a Settle-
ment as upon the said Treaty is agreed to be done;
yet so as they be commanded, ruled, and governed in
Chief by such as we, or our Chief Governor or Go-
vernors of that our Kingdom of Ireland, for the Time
being, shall appoint:

And whereas you did promise for us, and in our
Name, That we would grant Commissions to, and
appoint such Person and Persons, as shall be agreed,
on the Treaty, for the executing of such Commands,
Rule, or Government, to continue untill all the Ar-
ticles agreed on to be passed in Parliament, shall be
accordingly passed; and that we would issue Com-
missions to such Persons, as shall be agreed on the
Treaty, for the punishing of such capital Offences
as have happened since the 14th Day of September
1643; or should henceforward, during the Time
aforesaid, happen; and for the ordering of such
Things as should be for the Peace and Tranquility
of that Kingdom, and the well-ordering of the Ar-
my, and the raising and providing of Means for the
Support thereof: We being very willing and desirous
that as well that, as whatsoever else shall be under-
taken by you upon the Treaty, be punctually observed,
have thought fit, by these our Letters, to authorize
and require you to cause Letters Patent, under the
Great Seal of that our Kingdom, to be passed unto
you, which may authorize and give Power to you to
issue such Commissions, under the Great Seal of that
our Kingdom, as you have upon the Treaty for us,
and

and in our Name promised to our said Subjects, or which, upon the said Treaty, you shall hereafter promise unto them; and such other Commissions, after the Conclusion of the Peace in that our Kingdom, as you shall think fit for the advancing of the Natives of that our Kingdom, without Exception, to any Places of Command, Honour, Profit, and Trust in our Armies there, according to their respective Merits and Abilities; and that by you no Difference be made therein between them and our other good Subjects, according to the Answer made by you on our Behalf to the Eighth Proposition.

An. 21. Car. I.
1645.
October.

In which respective Commissions you are to cause such Grants and Non Observante's to be inserted, as may remove all Impediments and Hinderances whatsoever, which do or may disable any of our said Subjects to exercise the said Places; and for your so doing this shall be unto you, and other our Chief Governor and Governors for the Time being, and to our Chancellor or Keeper of the Great Seal there for the Time being, and to all others whom it may concern, sufficient Warrant, notwithstanding any further Usage, Restraint, Order, or Act of Parliament to the contrary: And so we bid you heartily farewell.

Given at our Court at Beiton, the 22d of May,
1645.

His MAJESTY's Letter, in his own Hand, to the Marquis of ORMOND.

Ormond,

I Find by yours to Digby, that you are somewhat cautious not to conclude the Peace, without, at least, the Concurrence of the Council there; which, if you could procure, I confess it would be so much the better; and therefore I have sent herewithall another Letter to you, to be communicated to them, which takes off those Restrictions which I laid formerly upon you in a public Letter; but the Irish Peace is of such absolute Necessity, that no Compliments or particular Respect whatsoever must hinder it; wherefore I absolutely command you, without

A Fifth, to hasten a Peace there,

An. 21. Car. 1. *Reply, to execute the Direction I sent you the 27th of February last, giving you Leave to get the Approbation of the Council, so as, and no otherwise, that by seeking it, you do not hazard the Peace, or so much as an Affront; by their foolish refusing to concur with you; promising you, upon the Word of a King, that if God prospers me, you shall be so far from receiving any Prejudice by doing this so necessary a Work, though alone, that I will account it as one of the chiefest of your greatest Services to me; and accordingly you shall be thought upon by*

Your assured Friend,
C. R.

Another Letter, dated October 10, 1645, from Newark.^c

And an Anonymous Letter from Newark.

I Hope mine from Bridgnorth is miscarried. It was more melancholy than, upon second Thoughts, I would have written; but the Truth is, the Loss of my Lord of Litchfield and some other gallant Men, and in the Nick of that the Rebels printing Books of my Lord Montrose's total Overthrow, had put me into a Fit of deeper Melancholy and Despair than I have ever before been subject to.

Since that, I have received Expresses from my Lord Montrose, wherein he relates the Truth of his late Misfortune on the 13th of September, at Philiphaugh, near Selkirk, wherein he lost, in all, but 200 Men; and bids us be assured, that yet, ere Winter, he will be in England with a gallant Army. We do since receive daily Confirmations, from all Parts in the North, that he hath routed David Lesley; his other Forces, then absent, being come up to him; for at Philiphaugh he was only a small Party, invited to the Borders by Roxbrough and others, who betrayed him. We shall no sooner receive an Express of his good Condition, but we shall en-

^c There is no Name to this Letter; but, from Lord Clarendon's Account of the King's Affairs at this Time, it seems to have been wrote by Lord Digby to Lord Jermyn, at St. Germain's.

endeavour to get to him: In the mean Time here we rest about Newark, (the unlikeliest Place to be besieged, and the strongest if it be, and from whence the King cannot be hindered from marching away with his Horse at any Time) whither we marched from Chirke without any Interruption; Pointz having, it seems, been too much broken to follow us, and opinionated, since the Siege of Chester. If he gives us Leisure till we learn the Certainty of Montrose, he will much oblige us; if not, I hope, with that Addition which we may receive from this Garrison, we may be able to fight with him for our Passage.

We are in hourly Expectation of an Answer from the Scots Army to those Overtures made unto them, whereof I advertised you formerly, and we have Cause to hope well of that Negotiation.

It were impertinent to trouble you from hence with the Western News, which certainly will come much fresher to you from the Original.

If Goreing hath given Massey such a Defeat as is believed, and that Fairfax hath drawn back his Army against him, there will then be a fair Blow for the setting us as high again as ever. I hope that our Misfortunes will not make you faint there in soliciting all possible Supplies of Monies, Arms, and Ammunition; for whatever sudden Damps may seize us upon unexpected Disasters, I hope, upon the Recollection, we shall none of us doubt but God will, in the End, magnify his Justice in the Prosperity of his Majesty's Cause. Whatever happens, let her Majesty be assured, that I, in the Discharge of my Duty, shall still make good that Confidence which she hath been pleased to have of me, and that Part which becomes the Title of

Your perfect Friend.

The Lords Journals add, That there were divers other Letters communicated at the Conference, but the six foregoing were the principal; and that the same Day, Oct. 30, their Speaker acquainted the House with a Letter from the Scots Commissioners

An. 21. Car. 1. 1645. fioners with a *Paper* inclosed, which were read,
as follows:

October.

For the Right Honourable the SPEAKER of the
House of PEERS.

My Lord,

A Letter from
the Scots Com-
missioners con-
cerning the State
of their Army in
the North, &c.

WE have received Intelligence from his Excel-
lency the Earl of Leven, that a Party of about
1000 Horse, under the Command of Sir Marma-
duke Langdale and the Lord Digby, is marched
from Skipton thro' Lancashire, into Cumberland;
upon Notice whereof he hath sent the most of his
Cavalry to pursue them: And we are also advertised,
that seven Ships are arrived upon the Coast of Cum-
berland from Ireland. His Excellency doth further
acquaint us, That he hath given a strict Order to
all the Officers and Soldiers under his Command not
to exact any Monies, or to lay any Assessments upon
the Country; but to content themselves with free
Quarters, not exceeding the Proportion formerly a-
greed upon by the Committee of both Kingdoms; and,
that it might appear how desirous he was this should be
carefully observed, he had sent his Quarter-Master-
General to the Committee of York, earnestly desiring
them to appoint such as they should think fit, to join
with others nominated by his Excellency, to make a
fair Survey of all the Quarters of the Scots Army,
that whatsoever should be found amiss might be
redressed at their own Sight.

In the mean Time he is advertised of a Declara-
tion to be published by the Commissioners of the County
of York, wherein it is declared to the People, that
there is a Course settled for the Pay of the Scots
Army, upon which it is to depend; and all Cor-
stables and other Persons whatsoever are prohibited to
levy any Money or Provisions for the Use of that Army.

It is well known to the Honourable Houses of
Parliament, that notwithstanding they have, by Or-
dinance of Parliament, settled a Course for the Pay
of that Army, how ineffectual these Means have
proved; and that the Scots Army have only received
one Month's Pay, advanced by the City of London,
for

for these eight Months past: And we cannot understand what that Army is to depend on, since the Course settled by Ordinance of Parliament affords them no Subsistence, and, in the mean Time, free Quarter not allowed them, nor any other Means whereby they may subsist; and unless they take free Quarter, or be otherwise provided for, we cannot see how it can be avoided but that they shall either starve or disband.

An. 21. Car. 1.
1645.

October.

We have herewith sent a Copy of that Declaration, and do earnestly entreat the Houses of Parliament to consider to what Straits and Extremities that Army is driven, what Discouragements they meet with in the Public Service; and that they would be pleased to take some speedy Course whereby that Army may be entertained, and the Inconveniences which may ensue upon such a Declaration speedily prevented. All which we offer for no other End, than that a good Understanding may be kept between the Kingdoms, and that Army enabled to prosecute the Service against the common Enemy. We remain

Your very affectionate Friends

and Servants,

Worcester-House,
Oct. 28, 1645.

LOUDON.
BALMERINO.
H. KENNEDY.

The Declaration mentioned in the foregoing Letter
was as follows:

By the STANDING COMMITTEES of the three
Ridings of the County of York assembled together.

‘UPON Consideration of the continual Complaints of the Inhabitants of this County, touching the intolerable Burthens imposed upon them by the Commanders in the Scots Army; it is declared, by the special Ordinance of Parliament, That there is a Course settled for the Pay of the said Army, upon which it is to depend, and

A Declaration of the Commissioners of Assessment against the Scots Officers.

An. 21. Car. I.
1645.

November.

and whereof this County is to pay no more than the certain Proportion limited by the said *Ordinance*, and that to be levied by certain Persons, nominated and authorized as Committees for that Purpose; and that this County ought not to be charged with the Entertainment of the *Scots Army*, further or otherwise than by the said *Ordinance* is directed; and therefore if any Constables, or other Persons whatsoever, shall assess or levy any Money or Provisions, or shall execute any Warrant for such Levy, by any Authority whatsoever, other than from such Committees, or other Persons in that Behalf intrusted by the High Court of Parliament, the Persons so transgressing and invading the Liberty of the Subjects of *England* must expect to give Account of their Doings, and must answer the same unto the Parliament; which the said Committee have thought fit to publish, to the end that all Parties concerned may take due Notice thereof.

Given at York the 22d of October, 1645.

November. The first Occurrence of this Month worth our Notice, is a *Letter* to the Parliament from Prince *Rupert*, whom the King had stripp'd of all his Commissions about six Weeks before, on account of his surrendering of *Bristol* to General *Fairfax*.

To the Right Hon. the LORDS and COMMONS assembled in the Parliament at *Westminster*,

My Lords and Gentlemen,

Prince Rupert's
Letter to the Par-
liament for a Pass
to leave the
Kingdom.

HAVING determined with my Brother Prince Maurice, my Lord Hawley, Lord Gerrard, Sir Richard Willis, and many Officers and Gentlemen of Quality, to leave this Kingdom, being altogether disengaged from that Service we have been in; it hath given me the Occasion to desire this Fa-
vour

* The King's Letter to Prince Rupert on this Occasion is given us by Lord Clarendon; (Vol. IV. 8vo. Edit. p. 694) but is not printed in that Monarch's Works.

your from you, that you would grant a Pass for me, my Brother Maurice, and those Noblemen and Gentlemen that come along with me, together with their Servants, Horses, and all Necessaries, to go beyond the Seas, or to retire to their Houses, as shall be most for their Conveniency: ^b And I engage my Honour, for myself and them, that no Act of Hostility shall be done by us; and that there is no other Design in our going than to go whither our particular Occasions and Desires shall lead us. I have therefore addressed unto you this Gentleman, Lieutenant-Colonel Osborne, who can assure you that my Intentions are no other than what I have here professed; and, by him, I shall expect the Return of my Desires, wherein you will oblige,

An. 21. Car. I.
1645.

November.

Your Friend and Servant,

Wiverton, Oct. 29,
1645.

RUPERT.

This Request of the Prince's being taken into Consideration the same Day, both Houses agreed to grant a Pass as desired, upon the Conditions expressed in the Letter. But at the same Time a Committee of Lords and Commons were appointed to consider of the Manner of this Pass, and report the same to the Houses.

A Day or two after the Committee brought in a Form of a Pass, which was read and approved on, along with the Instructions for those that should take the Engagement required; which was, Never more to bear Arms, or act any Thing against both Houses of the Parliament of England, or against the Estates of the Parliament of Scotland, or against any of their Forces in any of the King's Dominions.

Now

^b Mr. Whitlocke writes, ' That the Number of these were about 400, the meanest whereof was a Captain, who had laid down their Commissions, deserted the King, and betook them to Worton-House, fourteen Miles from Newark, where they stood upon their Guard,

Memorials, p. 185,

An. 27. Car. I.

1645.

November.

Gen. Pointz's
Account of his
storming Shel-
ford House.

Nov. 6. The following Letter from Major-General Pointz was read, directed to the Lord Grey of Warke, Speaker of the House of Peers.

My Lord,

I Am to render your Lordship this brief Account of what it pleased God to do for us in the late Storming of Shelford-House on Saturday. Having sent a strong Party of Horse and Dragoons to attend the King's Motions, in case he seeks to break away from Newark, I advanced towards Shelford, where Colonel Rossiter joined with me. I presently clapt down before it, and took divers of their Men Prisoners, who were got into the Church. This Day, being prepared for a Storm, I summoned the House, whereto the young Governor^d return'd me a very peremptory Answer; whereupon we fell on with much Resolution on all Sides, and were entertained for half an Hour with like Courage; but at length they were forced to leave that hot Service. They were in all near 200, most of the Queen's Regiment being there; about 40 of them escaped with their Lives, and are brought Prisoners into this Town, the rest put to the Sword. The Governor, being dangerously shot and wounded, was stript for dead; but some Officers took Pity on the young Gentleman and got him off; peradventure this may recover him. The London Brigade behaved themselves very faithfully in this Service; the rest wanted no Courage; to God be the Praise.

Our next Design is against Wiverton-House, and I hope the first News will be that it is reduced; however I shall use my faithful Endeavours therein, and in all other Respects continue,

My Lord,

Your obedient

and faithful Servant till Death,

Bingham, Nov. 3.

1645.

SYDENHAM POINTZ.

P. S.

^d A Son of the Earl of Chesterfield, Owner of Shelford.

P. S. *The King is still at Newark. I have a strong Party that waits his Motion.* An. 21. Car. I. 1645.

Sir, I hold it necessary that Shelford-House be continued a Garrison till Newark be reduced; till which Time I desire your Order for Lieutenant-Colonel Carleton, who behaved himself faithfully in the Public Service, to be the Governor thereof.

November.

The Speaker of the House of Lords was ordered to write a Letter to General Pointz, to give him Thanks from that House for his good Service and Faithfulness.

Nov. 11. The Lord Wharton and the rest of the English Commissioners being returned out of Scotland, this Day his Lordship delivered in to the House an Account of their Negotiation, which was comprised in the following Letters and Memorials:

For the Right Hon. the COMMISSIONERS of the Hon. Houses of the Parliament of England, for the present at Berwick.

My Lords and Gentlemen,

WE are all as desirous to meet with your Lordships as you can be, and as sorry for the not doing of it; but it was not in our Power sooner to have a Meeting, as we have, from Time to Time, represented unto you, before God gave our Forces that happy Victory against the Rebels at Philiphaugh; since that Time we have been necessitated to be with the Army, both for raising the Country and prosecuting the Victory; and altho' the Stay of those, that are by the Parliament appointed to treat with your Lordships, be very necessary at this Time, yet we have appointed them to be with you at Berwick, as you desire, on Monday the 6th of this Month, at Two o'Clock, which was the soonest that we could possibly imagine they were able to be there, so many of them being so far distant; in the mean time we have sent

Lord Wharton's Narrative of the Negotiations between the English and Scots Commissioners, at Berwick and St. Andrews.

An. 21. Car. I.
1645.

November.

sent you a Copy of the Commission which the Parliament gave those that are appointed to treat with you; the conclusive Power is in the Committee of Estates, who have the Power to give Instructions. We are confident the Quorum of both Committees will be near Berwick at that Time. We rest

Your very affectionate Friends

Perth, Sep. 27,

1645.

and Servants,

CRAWFORD and DALHOUSIE.

LINDSAY. COUPAR.

TULLIBARDINE. CRAIGIEHALL.

LAUDERDALE, and PATRICK HEPBURN.

FINDLATER. JA. BRUCE.

BALCARRAS. ARCH. SIDESARE.

BUCHAN.

The Parliament of SCOTLAND's COMMISSION, mentioned in the foregoing Letter.

AT Perth, the 7th Day of August, the Year of God 1645, the Estates of Parliament, now convened in the fourth Session of this first Triennial Parliament, by virtue of the last Act of the last Parliament, holden by his Majesty and the three Estates, Anno 1641, considering that the Honourable Houses of the Parliament of England have, by their Letters of the Day of , declared that they have made choice of some Commissioners, and authorized them with Power to repair into this Kingdom, and to treat on such Things as are intrusted to them, and concerning the Good and Interest of both Kingdoms; and finding it expedient, for this Effect, that some Persons of each Estate be employed to join with those our Commissioners, formerly nominated by the Estates of this Kingdom, for treating anent the Articles of Peace with the Kingdom of England, do therefore nominate, make Choice of, add and conjoin to their fore-

foreſaid former Commiſſioners for the Treaty, An. 21. Car. I.
the Perſons underwritten, viz. John Earl of
Crawford, William Earl of Marſhall, William
Earl of Lanerk, Sir John Hamilton of Ormiſton
Juſtice Clerk, Sir William Cochran; Mr. Ro-
bert Meldrum, and Mr. Alexander Wedder-
burn, Commiſſioners for the Town of Dundee;
John Kennedy, Commiſſioner for the Town of
Ayr; and William Glendon, Commiſſioner for
the Town of Kirkcudbright, or any five of them,
there being one of each Eſtate to meet with the
Commiſſioners for England at ^{1645.} or
any other Place the Committee of Eſtates ſhall
think fitting; and to hear them, receive any Pro-
poſitions that ſhall be given in to them, and to
give in Propoſitions to them, and to treat and
debate thereupon, according to the Inſtructions
given them by the Parliament or Committee of
Eſtates.

ALEX. GIBSON, Cler. Regiſt.

The Scots Commiſſioners APOLOGY for not coming
to Berwick.

Berwick, Oct. 6, 1645.

WE are commanded by the Committee of
Eſtates to ſhew unto your Lordſhips,
and theſe Noble Gentlemen, that the Condition
of Affairs in our Kingdom has been ſuch, that
we could not, according to the Intention of the
Parliament and the Committee, meet with you
before this Time; being diverted by our neceſ-
ſary Attendance upon the Armies; and that we
are now ready to receive, from you, ſuch Propoſi-
tions as you have in Charge to offer in Behalf of
the Parliament of England unto the Parliament
of Scotland or their Committee. We are fur-
ther commanded to acquaint your Lordſhips and
theſe Noble Gentlemen, That *Tueſday*, the 14th
Inſtant, is appointed for a Meeting, at *St. An-
drews*, of a Quorum of both Committees, reſi-
dent

An. 21. Car. I.

1645.

November.

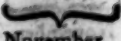
dent in Scotland and in the Army, to consider upon
 and return *Answers* to those *Propositions*; the
 Condition of the Country, and the Employment
 of many Members of the Committee in the
 Army, making it very inconvenient for us to
 meet at any Place further South, or sooner; and
 therefore we do offer unto your Consideration,
 whether it may better consist with your Affairs
 to go to *St. Andrews*, where we may more con-
 veniently treat, or to stay at *Berwick* till we
 shall return you an *Answer* from the Committee.
Sign'd at the Command of the Commissioners of
the Parliament of Scotland.

JA. PRIMROSE.

To the Right Hon. the Marquis of ARGYLE,
 the Earl of LAUDERDALE, &c.

Right Honourable,

WE were sent from the Parliament of England
 to treat with the Parliament of Scotland, or
 any who shall derive Authority from them, upon
 such Matters as concerned the Good of both King-
 doms. We arrived at *Berwick* the 16th of August,
 and there staid, according to the Desires of a Let-
 ter sent unto us from the Parliament of Scotland,
 and have used all Means to have a Meeting; and,
 from Time to Time, have had several Promises and
 Engagements that it should be speedy. After above
 thirty Days Expectation, we writ unto your Lord-
 ships and others, by ours of the 18th of September,
 that we did intend to take our Journey Southwards,
 if we had not a speedy Meeting with those appointed
 to treat with us; to which having no Answer of
 any particular Time, we accordingly went to New-
 castle and the Counties adjacent, and dispatched an
 Express to you, before our going hence, that the
 Time might be ascertained, and we should not fail
 to return and meet at the Day and Hour that should
 be assigned; which, by Letters from the Committee
 of Estates, of the 27th of September, was appoint-
 ed

ed to be here on Monday the 6th Instant, at Two An. 21. Car. 1.
of the Clock in the Afternoon: Accordingly we re- 1645.
turned hither, some of us above 80 Miles; but yet, 
contrary to our Expectation, found no Committee to
treat withall; and, instead thereof, a Paper was
tendered unto us by your Lordships, who, both now
and upon former Meetings, acknowledged yourselves
to be no Committee.

November.

To the Paper itself, which importeth, That you
could not meet with us before this Time; and that
you were ready to receive from us such Propositions
as we have in Charge to offer in behalf of the Par-
liament of England to the Parliament of Scotland,
or this Committee, we are to let your Lordships
know, that we cannot hold this to be such a Meet-
ing as was promised, in regard you are not a
Committee. And whereas it further imports an
Offer unto our Consideration, Whether we would go
to St. Andrews, where we might more conveniently
treat, or stay at Berwick till you should return us
Answer from the Committee; we think fit to signify
thus much to your Lordships, that there can be no
Return of any Answer from the Committee; be-
cause, upon the Ground aforesaid, we cannot deliver
in any Papers or Propositions to your Lordships;
and therefore nothing is left to our Choice but to go
to St. Andrews to the Meeting of the 14th of this
Month.

My Lords, thus the Business, as we conceive, now
stands, and hereby we are necessitated to a longer un-
expected Delay, without having made any Entrance
at all into the Affairs we have in command; yet that
it may appear nothing shall be wanting, on our Parts,
to continue and preserve a good Correspondence be-
twixt the Kingdoms, and promote the Good and Ser-
vice of them both, we are resolved to go to St. An-
drews; and, God willing, shall not fail to be at the
said Meeting, if we may receive an Assurance from
your Lordships that we shall have a speedy Dis-
patch and Conclusion of the Treaty with a full
Quo-

112 *The Parliamentary History*

An. 21. Car. 1. *Quorum of the Commissioners, who shall have ample*
1645. *Power to treat and conclude with us,*

November.

Your Lordships

Berwick, Oct. 7,
1645.

Affectionate Friends

and Servants,

P. WHARTON.

HEN. VANE.

THO^r. HATCHER.

W^m. ARMYN.

ROB^t. GOODWYN.

For the Right Hon. the Lord WHARTON, and
the rest of the Commissioners of the Parliament
of England.

Right Honourable,

*AS soon as the Parliament of Scotland heard of
the Resolution of the Honourable Houses to
send Commissioners to Scotland, they authorized a
Committee to treat with them; and desired they
might stay at Berwick till a Place of Meeting was
appointed, in regard the Sickness was so violent at
and about Edinburgh. After the Parliament was
adjourn'd, the Committee of Estates, hearing that
you were come away from London, did send one of
their Number to have waited on you to St. An-
drews, which was the Place they then appointed
for the Treaty; but it pleased God so to dispose of
our Affairs in Scotland, that that Place was not
then convenient to meet at. We endeavoured after-
wards to have a Meeting here, and came hither our-
selves for that Purpose; but we could neither get
our Commission (our Clerk being then in the Rebels
Power, who had the Trust of all our Papers) nei-
ther could we possibly get a Quorum, as yourselves
were Witnesses: We did indeed often promise to
meet as soon as we could, but could never fix upon a
Day, because of our necessary Attendance on the Ar-
my, 'till after your Receipt of the Letter from Perth,
the 27th Day of September; when the Commit-
tee appointed this Place, and commanded all that
were*

were of this Commission to wait on you the 6th of An. 21. Car. I. this Month; whereupon, altho' it was inconvenient that we should come so far from the Army, some of us came above one hundred, all of us above sixty, Miles, to keep this Meeting; but when we found ourselves, contrary to our Expectation, not like to be a full Quorum, by Warrant of the Committee of Estates we gave in our Paper of the 6th, and left it to your Consideration, whether you would give in your Propositions, which we conceived we had Authority enough to have received, and carried to those who have undoubtedly Power to authorize us to give what Answer they should think most conducive to the Good of both Kingdoms; or whether you would go to St. Andrews yourselves. This we thought fit to offer to your Lordships in Answer to your Letter of the 7th Instant, by which, we are confident, it will appear there hath been no Time lost, or Occasion omitted, by the Kingdom of Scotland for entering upon those Affairs you are intrusted with; and that now, by your going to St. Andrews, all these Impediments will be removed, which hindered a Meeting so much desired by your Lordships, and by,

1645.
November.

My Lords and Gentlemen,

Your affectionate Friends

Berwick, Oct. 8,
1645. and Servants,

ARGYLE. LANERK.
LAUDERDALE.

St. Andrews, Oct. 14, 1645.

‘ **W** Hereas the Lords and Commons, assembled in the Parliament of England, have
‘ authorized us to make our Addresses to the Parliament of Scotland, or the Committee of Estates
‘ of Scotland, or any deputed by them to treat with
‘ us upon such Matters as may tend to the Good
‘ and Peace of both Kingdoms, in pursuance of
‘ their Commands we are to let your Lordships
‘ know their good Acceptance of that Brotherly
V.O.L. XIV. H Af-

An. 21. Car. 1.

1645.

November.

Assistance, which they so timeously received from the Kingdom of *Scotland*, and do, in their Name, return Thanks for the same. And we are further to express their earnest Desires, that a good and mutual Correspondency betwixt the two Kingdoms, united in this great Cause by *Solemn League and Covenant*, may be, by all Endeavours, continued and inviolably preserved; and, for that Purpose, we are commanded to endeavour the best Satisfaction we can, in all Things that may seem to give any Occasion of Difference, and to desire the like from your Lordships. And we are further to acquaint your Lordships with the great Straits the Kingdom of *England* is in for Want of Money; and that if there hath been any Failing of Payments, which should have been made from the Parliament of *England*, in pursuance of the *Treaty*, it hath not proceeded from any want of Affection or real Intention to make good their Engagements.

WM. ROWE, *Sec. Comm.**St. Andrews, Oct. 14, 1645.*

WE the Commissioners of the Parliament of *England* have in Charge from both Houses, to demand of your Lordships, and the rest of this Honourable Committee, That, in pursuance of the *Large Treaty* of both Kingdoms, the Works about *Carlisle* be slighted, and the Place dismantled; and that the *Scots* Garrison, put in there without the Consent of the Parliament of *England*, be forthwith removed.

WM. ROWE, *Sec. Comm.**St. Andrews, Oct. 14, 1645.*

WE the Commissioners of the Parliament of *England* have in Charge to demand of this Honourable Committee, That the several Garrisons of *Warkworth Castle*, *Tinmouth Castle*, *Newcastle upon Tyne*, *Hartlepool*, *Stockton Castle*, and

and Thirlwall Castle, being placed there without the Consent of both Houses of the Parliament of England, or their Committees, may speedily be removed.

An. 21. Car. I.

1645.

November,

WM. ROWE, Sec. Comm.

St. Andrews, Oct. 14, 1645.

WE the Commissioners of the Parliament of England have in Command from both Houses, to let your Lordships know, That the Protections already given to the Persons, Goods, or Estates of any Delinquents, without the Consent of the Parliament of England, or their Commissioners, are to be limited to their just Intentions; which is only from restraining the Soldiers from all Acts of Violence against the Persons so protected, and not extend to the Prejudice of any Ordinance of Parliament, or Order of both or either of the Houses of Parliament; and that no Protections are to be granted, or Capitulations made, without the Consent of the Parliament of England, or their Committees: And if any Protections have or shall be granted or made otherwise, that they shall be held void and null.

WM. ROWE, Sec. Comm.

St. Andrews, Oct. 14, 1645.

WE the Commissioners from the Parliament of England are to acquaint this Honourable Committee, That Commissions are granted under the Great Seal of England, for the taking upon Oath and adjusting the Accounts of Yorkshire, of the City and County of the City of York, Northumberland, the Borough of Berwick upon Tweed, Cumberland, Westmoreland, the County of Durham, and County of Newcastle upon Tyne, between the Scots Army and the said several Counties, arising either by Assessment, Free Quarter, Billeting, or any other Way;

An. 21. Car. I.

1645.

November.

and we are hereupon required to offer to this Honourable Committee, that they may send Commissioners of their own, if they please, to be present at the adjusting of the said Accounts in the several Counties and Places above-mentioned.

WM. ROWE, Sec^r. Comm^r.

St. Andrews, Oct. 16, 1645.

WE the Commissioners of the Parliament of Scotland are warranted by the Committee of Estates, to desire your Lordships and those Gentlemen, to make known unto us, Whether you have any more at this Time to propound unto them from the Parliament of England, because the urgent Occasions of this Kingdom do necessarily require the Committee's Removal from this Place to Glasgow To-morrow.

JA. PRIMROSE.

St. Andrews, Oct. 16, 1645.

WE the Commissioners of the Parliament of England did, on Tuesday the 14th of this Instant, deliver in five Papers to your Lordships, agreeable to the Treaties made betwixt the two Kingdoms, and did this Day, upon Notice from your Lordships, expect an Answer in Writing thereunto; but have received a Paper of the sixteenth, in which you desire to know, Whether we have any more at this Time to propound from the Parliament of England; which we conceive a Course unusual in Treaties, notwithstanding we have given your Lordships another Paper, unto which and the former we desire your Lordships speedy Answer.

WM. ROWE, Sec^r. Comm^r.

St.

St Andrews, Oct. 16, 1645. An. 21. Car. I.

1645.

November.

WE the Commissioners of the Parliament of *England* have further in Command of both Houses, to desire your Lordships special Care, That, for the better Prevention of all Occasions of Complaints and Misunderstandings that may arise betwixt the two Nations, all the Articles of the several *Treaties* between the two Kingdoms may be duly kept and inviolably observed; and, in Pursuance thereof, that the other Garrisons in *Cumberland*, not mentioned in our former *Papers*, may be speedily removed; and that your Lordships will take an effectual Course that all Assessments and Levying of Monies, either by Officers or Soldiers, or any other Persons by their Authority and Command, may be hereafter foreborne; and that all Oppressions, Wrongs, and Injuries heretofore offered, contrary to the Articles of the *Treaty*, may be duly examined, and such Remedy applied as to Justice shall appertain; and that for the future your Lordships will make such Declaration, and take such Order, that, according to the *Treaty*, no such Injuries may be committed or done.

WM. ROWE, Sec. Comm^r.

St. Andrews, Oct. 16, 1645.

WE the Commissioners of the Parliament of *Scotland*, authorized to treat with the Commissioners of the Parliament of *England*, upon such Matters as may tend to the Good and Peace of both Kingdoms, are warranted, by the Committee of Estates, to return unto your Lordships and these Gentlemen this following Answer to your first Paper of the 14th Instant, delivered unto us:

That the Committee of Estates of the Kingdom of *Scotland* are exceeding sensible of the good Acceptance the Honourable Houses of the Parliament of *England* have expressed, by your Lordships

An. 21. Car. 1.

1645.

November.

ships, of the timely Assistance they received from this Kingdom; and that all Means will be used, on their Parts, that a good and mutual Correspondency between the two Kingdoms, united in this great Cause by *Solemn League and Covenant*, may be continued and inviolably preserved; and that they shall most readily contribute their best Endeavours for the Removal of any seeming Difference that may occasion any Mistakes between the Kingdoms.

We are further commanded to shew your Lordships, That they are exceeding sensible of the Straits the Kingdom of *England* is in for Want of Money, and believe their Failings of Payments and other Particulars, due by the *Treaty* of this Kingdom, hath not proceeded from any Want of Affection or real Intention to make good their Engagements; albeit the *Scots* Army now in *England* hath been, and now is, reduced to exceeding Extremities, and disabled to do such Service as might otherwise have been expected.

JA. PRIMROSE.

St. Andrews, Oct. 16, 1645.

WE the Commissioners of the Parliament of *Scotland* are warranted, by the Committee of Estates, to return this following Answer to your Lordships *second Paper* of the 14th Instant delivered unto us:

That they are most desirous all the Articles of the *Large Treaty* be faithfully observed; and do offer unto your Lordships Consideration, if the same Reason which moved the Parliament of *England* to allow a Forbearance in the Execution of that Article concerning *Berwick*, and to give it in Trust to their Brethren of *Scotland*, may not be of as great Force for continuing of *Carlisle* in the same Condition it is now in; and the rather, considering that it is known to all who are upon the *Treaty*, concerning our March into

En-

‘ *England*, that the only Reason why it was not An. 21. Car. I.
 ‘ put into the same Condition with *Berwick* was, 1645.
 ‘ because it was not then in the Power of the Par-
 ‘ liament of *England*; who, they are confident,
 ‘ upon Consideration of the necessary Use of it for
 ‘ the Safety of the Kingdom of *Scotland*, would
 ‘ have been as willing to have condescended unto
 ‘ it as unto that of *Berwick*: And now that Place
 ‘ being brought under their Obedience, it seems
 ‘ much more reasonable that the Garrison be con-
 ‘ tinued in it, without slighting the Works, or dis-
 ‘ mantling the Place, till it shall please God that
 ‘ the Affairs of both Kingdoms be in a better Po-
 ‘ sture; in regard that the Kingdom of *Scotland*
 ‘ hath been invaded from that Place, and by the
 ‘ ill-affected Persons about it on both Sides of the
 ‘ Border, who do still expect the Landing of *Irish*
 ‘ Forces near unto it and the Coming of the For-
 ‘ ces that are with his Majesty to join with them
 ‘ for infesting of this Kingdom, according to the
 ‘ Intelligence both your Lordships and we have
 ‘ received: And that the Committee of Estates are
 ‘ the more encouraged to believe that these Reasons
 ‘ will weigh much with the Honourable Houses of
 ‘ Parliament and your Lordships, in that the King-
 ‘ dom of *Scotland* have given so many real Proofs
 ‘ of their Affection and Faithfulness to their Bre-
 ‘ thren of *England*, and are most willing, as they
 ‘ have ever professed, that these Difficulties being
 ‘ taken away, and the Troubles ended, the Gar-
 ‘ risons shall be removed, the Works slighted, and
 ‘ the Place dismantled according to your Lordships
 ‘ Desire.

November.

JA. PRIMROSE.

St. Andrews, Oct. 16, 1645.

‘ **W**E the Commissioners of the Parliament
 ‘ of *Scotland* are warranted by the Com-
 ‘ mittee of Estates, to return unto your Lordships
 ‘ and those Gentlemen this *Answer* to your *third*
 ‘ *Paper* of the 14th Instant:

‘ That

An. 21. Car. I.

1645.

November.

‘ That when, upon the Invitation of the Par-
 ‘ liament of *England*, a *Treaty* was made, and an
 ‘ Army raised in this Kingdom for the Assistance
 ‘ of their Brethren, in Pursuance of the Ends ex-
 ‘ pressed in the *Solemn League and Covenant* and
 ‘ the *Treaty*, no Town or Castle in the *North* of
 ‘ *England* was in the Power of the Parliament,
 ‘ except *Berwick*; and so then none could be
 ‘ commanded either for Retreat or Magazine to
 ‘ the *Scots* Army; but if these mentioned had
 ‘ been then in their Power, they would undoubt-
 ‘ edly have been asked and granted upon the same
 ‘ Ground and Reasons that *Berwick* was in *Eng-
 ‘ land*, and *Carrickfergus* and *Coleraine* to the Ar-
 ‘ my of *Ireland*; and the Necessity of these Places
 ‘ did appear upon the Advance of the *Scots* Army;
 ‘ who, for these Ends, were forced to fortify and
 ‘ garrison *Blythe-Nooke* and *Sunderland*; which
 ‘ was not opposed then by either the Parliament
 ‘ of *England* or their Committee: Afterwards,
 ‘ by the Blessing of God upon the *Scots* Army
 ‘ brought into *England* by the Earl of *Leven*, the
 ‘ Army under the Earl of *Newcastle* being driven
 ‘ out of the *Northern* Counties into the City of
 ‘ *York*; the Town of *Hartlepoole* and Castle of
 ‘ *Stockton* were taken by the Earl of *Callendar*, and
 ‘ garrisoned for these same Ends: Then after the
 ‘ Overthrow given, by the joint Endeavours of
 ‘ the Armies of both Kingdoms, to Prince *Rupert*
 ‘ and the Earl of *Newcastle* at *Long-Marston*, the
 ‘ *Scots* Army was, by the Commissioners of the
 ‘ Parliament of *England* (who, by their *Instruc-
 ‘ tions* of the first of *November*, 1643, commu-
 ‘ nicated to the Convention of Estates at the Time
 ‘ of the *Treaty*, have Power to advise, debate,
 ‘ and conclude with the joint Advice of their Bre-
 ‘ thren of *Scotland*, to put in Execution all Mat-
 ‘ ters and Things concerning the Well-ordering,
 ‘ Direction, Disposal, and Accommodation of the
 ‘ Forces brought for Assistance of the Kingdom of
 ‘ *England*) pressed to march back and besiege
 ‘ *New-*

Newcastle; which, after a long Debate, by an Order of the Committee of both Kingdoms residing with them, they did; and, having endured much Hardship and Loss of so many Men, it pleased God to make them Instruments for reducing it, by Assault, to the Obedience of the Parliament of *England*; and, within a few Days the Castle of *Tinmouth* was also rendered: Not long after they were taken, a Commission was drawn up by the Committee of Estates resident with the *Scots* Army, appointing Sir *James Lumfden* Governor; which, with some Marginal Notes upon it, made by the Commissioners of the Parliament of *England*, was sent up to *London*, and the Consideration of that Business referred to the Committee of both Houses and to the Committee of both Kingdoms; where, after many Debates with the Commissioners of this Kingdom at *London*, a Commission was resolved on to him as Governor for a Twelvemonth; which afterwards, upon some Difference concerning the Form of it, was laid aside, as we are informed, but nothing then proposed for removing the Garrison of *Newcastle*; for it was, and is, so well known, that it is the fittest Place for sending Recruits to the *Scots* Army, for a Magazine, and for a Retreat in case of Necessity; it being so considerable a Pass into *Scotland*, that, without it, that Army cannot be in Safety; and therefore the Committee of Estates is confident, when the Grounds and Proceedings of the *Scots* Army in garrisoning all these Places shall be considered, and their Situation in regard of the Provision and Accommodation of that Army, and the Defence of the Kingdom of *Scotland* against the Attempts of the ill-affected Persons, who are too many in these Places on both Sides of the Border, the Removal of these Garrisons, untill both Kingdoms be in a better Posture, or our Troubles ended by a happy *Peace*, will neither be pressed by the Parliament of *England*, nor by this

An. 27. Car. I.

1645.

November.

AN. 21. CAR. 1.

1645.

November.

this Honourable Committee; which might be interpreted, though we are confident it is not intended, as a Diffidence of their Brethren of Scotland; who, by their Endeavours and Sufferings, only for their Engagement with the Kingdom of *England*, have given so large and undeniable Testimonies of their Brotherly Love and Faithfulness; and who are willing to hazard all that is dear unto them in this Cause with the same Affection and Zeal.

JA. PRIMROSE.

St. Andrews, Oct. 16, 1645.

WE the Commissioners of the Parliament of *Scotland* are warranted, by the Committee of Estates, to return this *Answer* to your *fourth Paper* of the 14th Instant, delivered unto us:

That they agree that all Protections, given by the Officers of the *Scots* Army, are to be understood only for restraining of the Soldiers from Acts of Violence against the Persons so protected; and that no Protections are to be granted, or Capitulations made, to the Prejudice of any Ordinance of Parliament; and if any Protection hath been granted heretofore without this Caution, they desire your Lordships to condescend upon the Particulars, that they, with you, may make an exact Search and Trial if they have not, or may not, bear a just Exception.

JA. PRIMROSE.

St. Andrews, Oct. 16, 1645.

WE the Commissioners of the Parliament of *Scotland* are warranted, by the Committee of Estates, to return this *Answer* to the *fifth Paper* of the 14th Instant, delivered unto us:

That they were so desirous the Accounts be fitted and adjusted, that, to that Effect, the Committee

mittee and General Officers with the *Scotts Army* An. 21. Car. I.
in *England*, sent the Earl of *Lothian* and Sir
Adam *Hepburn* of *Humble*, to the Committee at
York, to know whether the Accounts were taken
in from the several Quarters; who returned them
Answer, They had Commissions and Orders for
it from the Parliament of *England*, but that, by
reason of the Sicknes in many Places, and other
Hinderances, nothing was done.

1645.
November.

And we are farther warranted to shew you,
That, upon this Proposition, the Committee of
Estates will appoint some to join with any in
Commission from the Parliament of *England* for
that Purpose, that these Accounts may be so order-
ed and allowed, as formerly was done when our
Army was in *England*, in the Year 1640: And
we are to desire your Lordships to condescend
upon the Time and Place to be appointed for the
Meeting of these Commissioners concerning that
Business, that the Committee of Estates may
appoint their Commissioners to attend accord-
ingly.

JA. PRIMROSE.

St. Andrews, Oct. 17, 1645.

WE the Commissioners of the Parliament
of *Scotland* are warranted to return this
Answer to your Paper of the 16th Instant:

That the Committee of Estates are most de-
sirous, That all the Articles of the several *Trea-*
ties betwixt the Kingdoms be inviolably and
punctually observed.

That when they know what those other Gar-
risons in *Cumberland* are, they shall return such
an Answer as, in Reason, can be expected.

They do acknowledge no Assessments ought
to be laid, or Monies levied, either by Officers
or Soldiers, or any Persons by their Authority;
and, that Necessity may not compel the Army for
their Maintenance, for Want of due and timeous
Payment, to any such Course, they do desire
that

124 *The Parliamentary History*

An. 21. Car. I.
1645.

November.

that, according to the *Treaty*, their Monies may be duly paid to them; and if any Oppressions, Wrongs, or Injuries have been heretofore offered, they are most willing, according to the *Treaty*, they be duly examined, and such Remedies applied as to Justice shall appertain.

JA. PRIMROSE.

St. Andrews, Oct. 17, 1645.

WE the Commissioners of the Parliament of *England* have considered of your Lordships *Answers* to our several *Papers*; and as to that given in *Answer* to our *first*, we make no Doubt but that your Lordships Expressions, concerning your Endeavours to procure a good and mutual Correspondency betwixt the Kingdoms, will be very acceptable unto the Houses of Parliament of *England*, as that which they do much desire; and we do assure your Lordships, that wherein it shall appear to the Houses that there hath been any Failure of Payments, or of other Particulars due by the *Treaty*, they will be careful to make good the same, according to their utmost Power.

And as to your Lordships *Answer* to our *second* and *third Papers*, concerning *Carlisle, Newcastle*, and the other Garrisons, we are of Opinion, That the Reasons therein expressed, for continuing your Garrisons in those Places, are no ways answerable to the *Treaties*, nor will be satisfactory to the Parliament of *England*; and do therefore desire that your Lordships will seriously consider to return such an *Answer* as may give Satisfaction to the just Demands of the Parliament; or that we may know whether those *Papers* we have received do contain, as to those Garrisons, that *Answer* which you will insist upon, and would have us represent unto the Parliament.

As for your Lordships *Answer* unto our *fourth Paper*, we do observe that you do agree, That
Pro-

‘ Protections are to be understood only for restraining Acts of Violence against the Persons protected, and that no Protections are to be granted, nor Capitulations made, to the Prejudice of any Ordinance of Parliament; whereas our Demands are, That no Protections be granted, which may extend to the Prejudice, not only of any Ordinance of Parliament, but of any Order of either House; and that no Protections or Capitulations be made without the Consent of the Parliament of England, or their Committees: In these Differences we desire further Satisfaction; as also to know what is meant by the Words in the Close of your Paper, viz. *If they have not, or may not, bear a just Exception.*

‘ As to your Lordships Answer unto our fifth Paper; we do agree that speedy and convenient Times be condescended upon for your Commissioners to be present at the adjusting of the Accounts in the several Counties, and desire to receive from your Lordships the Names of such as you shall think fit to employ in that Service, and accordingly we shall give Notice thereof unto the English Commissioners.’

WM. ROWE, Sec^r. Com^{rs}.

St. Andrews, Oct. 17, 1645.

‘ WE the Commissioners of the Parliament of Scotland have considered of your Paper of the 17th Instant, and are warranted to desire to know from your Lordships, Whether you have Power from the Parliament of England to settle those Garrisons and Governors, which, upon Debate, shall be found, by good Reason, to be for the Safety and Accommodation of the Scots Army so long as they are employed in England for this Cause and the Good of both Kingdoms.’

JA. PRIMROSE.

St.

An. 21. Car. I.
1645.

November.

St. Andrews, Oct. 17, 1645.

An. 21. Car. I.
1645.

November.

WE the Commissioners of the Parliament of
England, in return of your Lordships last
Paper of the 17th Instant, do make this *Answer*,
 That we are commanded by the Parliament of
England to demand the withdrawing of the *Scots*
Garrisons, according to the *Papers* delivered in
 for that Purpose, wherein the Parliament demand-
 eth nothing but conform to Right and Justice;
 and when your Lordships shall give us a satisfac-
 tory *Answer* unto those Demands, we are most
 confident, and shall undertake, that these Towns
 and Places shall have such Garrisons and Gover-
 nors, and shall be so disposed, as shall be for the
 Safety and Accommodation of the *Scots* Army, so
 long as they are employed in *England* for this
 Cause and the Good of both Kingdoms.

W^m. ROWE, Sec^{ry} Com^{rs}.

St. Andrews, Oct. 17, 1645.

WE the Commissioners of the Parliament of
Scotland are warranted, by the Commit-
 tee of Estates, to return this *Answer* to your first
Paper of the 17th Instant:

That as they shall be ready, upon all Occa-
 sions, to make good those Expressions, which
 your Lordships are confident will be so accept-
 able to the Parliament of *England*; so they do
 not doubt but the Parliament, according to your
 Assurance, will make good all that is due by them
 to this Kingdom.

As to that Article concerning Protections; the
 Committee doth agree, That no Protections be
 hereafter granted, that may extend to the Preju-
 dice of any Order of either House of Parliament;
 and that no Capitulations be made but according
 to the Treaty. The Meaning of these Words in
 the Close of our *Paper* is, That the Particulars
 of the Protections already given being condescend-
 ed on, the Committee may, with you, make an
 exact

‘ exact Trial, if they may not bear a just and rea- An. 21. Car. I.
‘ sonable Exception from this Rule now agreed 1645.
‘ upon.

‘ As to the last we desire to know, if these
‘ Words, *For your Commissioners to be present at*
‘ *the adjusting of the Accounts*, your Lordships do
‘ not mean, That the same Power shall be granted
‘ to our Commissioners, and the same Course ta-
‘ ken in the fitting of these Accounts, as in the
‘ Year 1640, and then you shall receive the Names
‘ of those the Committee does employ.

November.

‘ We are further warranted to shew your Lord-
‘ ships the earnest Desire the Committee hath to
‘ satisfy your Lordships in all your Demands, so
‘ far as can either agree with Reason, or the Safety
‘ of the *Scots Army* now in *England*, employed for
‘ the Ends exprest in the *Covenant and Treaty*;
‘ and for that Effect we presented the *Paper* of the
‘ 17th Instant, that we might know if your Lord-
‘ ships are fully instructed for settling such Garri-
‘ sons to the *Scots Army*, as, in Reason, cannot
‘ be denied to be necessary for their Subsistence
‘ and Safety in *England*, for the Good of both
‘ Kingdoms; but finding your Lordships *Answer*
‘ no ways satisfactory, we offer it to your Lord-
‘ ships Consideration, If it be fit to remit that De-
‘ mand, with our *Answer*, to the Parliament of
‘ *England* and our Commissioners at *London*; and
‘ we are confident the Honourable Houses, both
‘ for the Weight of our Reasons, and their bro-
‘ therly Sense of our ready and timeous Assistance,
‘ will not suffer the *Scots Army* to want any Accom-
‘ modation for their Safety and Security, which
‘ can justly be demanded; lest the Enemies of both
‘ Kingdoms take this Opportunity to weaken the
‘ Confidence betwixt the Kingdoms, by their al-
‘ ledging this Demand, at such a Time, for an Ar-
‘ gument of Jealousy; or if your Lordships will pro-
‘ pose any other Way, for a more speedy and more
‘ effectual Conclusion therein, we shall most hear-
‘ tily concur.

JA. PRIMROSE.

St.

St. Andrews, Oct. 18, 1645.

An. 21. Car. I.

1645.

November.

WE the Commissioners of the Parliament of England, in Answer to your *Paper* of the 17th Instant, think fit to let your Lordships know, that to that Part concerning the Observation of the *Treaties*, we refer ourselves to our former *Papers*, and expect the like to be performed on the Behalf of the Kingdom of Scotland, the Obligation being mutual.

As to that Article concerning Protections; we rest satisfied with your *Answer* as to the future, and we are confident there cannot be found, upon Examination, any just and reasonable Exceptions from the Rule now agreed upon.

For the Matter of Accounts; the Commissions are already granted under the Great Seal of England; but we cannot say whether they be agreeable or no to those Commissions of 1640, because we have not seen them.

Concerning the Garrisons; we are confident that what we have demanded on Behalf of the Parliament, in our former *Papers*, are agreeable to the *Treaties*, and no ways prejudicial to the Safety of the Scots Army now in England; wherein we cannot imagine in what Terms we could have offered better Satisfaction to your Lordships than by that Engagement which we made in our last *Paper* of the 17th Instant; neither can we conceive that the making of those Demands, by the Parliament at this Time, can be made Use of to weaken the Confidence betwixt the two Nations, by making it an Argument of Jealousy; but, on the other Part, we are fully persuaded that the speedy condescending upon their Duties would be the most effectual Way to continue a perfect and true Understanding betwixt the two Kingdoms; but if we can't herein prevail with your Lordships, there will remain nothing more for us but to represent your *Papers* unto both Houses, which we shall do with all Faithfulness.

WM. ROWE, Sec^{ry}. Com^{rs}.

After this Report, the Speaker was ordered to give the Lord *Wharton* Thanks from the House, for his Pains in this Business; which was done accordingly.

An. 21. Car. 1.
1645.
November.

Nov. 12. A Letter from the Scots Commissioners, directed to the Speaker of the House of Lords, was read in that House; which, with another from both Houses to the Parliament of Scotland, as a Sequel to Lord *Wharton's* Account, is all that is material for the Space of some Days. And first

A Letter from the Scots Commissioners.

My Lord,

WE are desired, by his Excellency the Earl of *Leven*, to acquaint both Houses that the Scots Army is speedily to march towards Newark; and further to present their extreme Wants and pressing Necessities, by reason they have neither Money for their Entertainment, nor Cloaths to defend them from the Injury of the Weather, and so are exceedingly disabled from performing that Service which may be expected: It is therefore now our Request to the Honourable Houses, That an Ordinance may be passed for the Repayment of those who will lend any Money for the advancing a Month's Pay to the Scots Army; that they would give Order for speedy providing them with Cloaths, and, for their present Subsistence, appoint the Country to afford them free Quarter.

We have divers Times represented to the Houses, that the Committee at Goldsmiths-Hall are charged, by Order of the House of Commons, to pay the Scots Army, out of the Compositions with Delinquents, 31,000 l. whereof only 14,000 l. is as yet paid: And we do again earnestly entreat, that Monies may not be drawn from the Committee at Goldsmiths-Hall for other Uses, whereby they are disabled to advance any considerable Supply for that Army, or in any Manner to satisfy the Expectation of the

An. 21. Car. 1.
1645.

November,

Houses, in providing for their Maintenance. This being a mean Obstruction, and exceedingly prejudicial to that Army, we doubt not but the Houses will remove it, and settle such a Course for their future Entertainment, as that Army may be enabled for the Public Service, the Advancement whereof is their earnest Desire, and also of

Your Lordship's

Very affectionate Friends and Servants,

Worcester-House,
Nov. 12, 1645.

LOUDON.
BALMERINO.

P. S. *My Lord, we earnestly desire you to put the House in mind to return an Answer to our former Papers.*

This Letter was ordered to be communicated to the House of Commons.

Nov. 14. A Draught of a *Letter*, to be sent from both Houses of Parliament, to the Parliament of Scotland, was read :

My Lords,

Another. from the Parliament of England to that of Scotland, on the same Subject.

THE Commissioners lately sent into Scotland have made their Report unto both Houses, wherein, among other Things, they have received the Answers delivered by the Commissioners of that Kingdom, appointed to meet with them, concerning the Garrisons placed by the Scots Army in the Towns and Castles of Carlisle, Newcastle, Tinmouth, Hartlepool, Stockton, Warkworth, and Thirlewall, or elsewhere within the Kingdom of England, without the Consent of both Houses of Parliament, or their Committees; (the Copies whereof, and of our Demands, we herewith send you) with which Answers the Lords and Commons assembled in the Parliament of England are not satisfied; the Garrisons, according to their undoubted Right, not being removed: We are therefore commanded by them to demand,

demand, and accordingly, in their Names, do demand, of the Parliament of Scotland, the Removal of the Scots Forces out of those Cities, Towns, Castles, and Places; and to the end that the Kingdom of Scotland may not be restrained in Time, they desire that this may be done before the first of March next: And we are also further commanded, in their Names, to assure you, That thereupon all Accommodation shall be made for the Security of the Scots Army, according to the Offers and Engagements of their Commissioners in that Behalf; it being the earnest Desire and Intention of both Houses to use all Ways and Means for the Continuance of a right Understanding and good Correspondence between the two Kingdoms, and, if possible, a nearer Union and Conjunction. My Lords, we wish all Happines to your Proceedings, and rest,

An. 21. Can. 1.

1645.

November

Your Lordships

Very affectionate Friends

And humble Servants,

G R E Y of Warke,
Speaker of the House of Peers
pro Tempore.

WILLIAM LENTHALL,
Speaker of the Commons House
in Parliament.

Nov. 15. Another Scots Paper was read, and ordered to be sent to the House of Commons; which was as follows:

Nov. 14, 1645.

THE Lord Sinclair, Lord Levingston, and the Lord Montgomery being called to appear before the Parliament of Scotland, to answer to some Informations against them concerning their holding Correspondency with the Enemy during the Time of their being here in England, we do earnestly desire that, if there be any Thing amongst

A Paper from the Scots Commissioners, relating to some suspected Peers of that Kingdom.

An. 21. Car. 1.
1645.

November,

amongst the *Letters* and *Papers* of the Enemy, lately intercepted, and brought to the Houses of Parliament, or any other Information which may give a further Light into this Business, that it may be communicated unto us, to be sent to the Parliament of Scotland.

The pressing Wants and Necessities of the Scots Army do inforce us, again, to importune the Honourable Houses, to give Order for Money and Cloaths to be sent to them to cover their Nakedness, and defend them from the Coldness of the Season, now daily increasing; and withall we intreat for a speedy *Answer* to our former *Papers*, that we may be able to give an Account of our Proceedings to the Parliament of Scotland.

By Command of the Commissioners for the Parliament of Scotland.

JOHN CHIESLEY.

We shall conclude the Affairs of this Month, with the Copies of several other *Letters*, which are expressive enough how the Proceedings of Parliament went on at this Time.

Nov. 19. The Lords ordered a *Letter* from Sir Thomas Fairfax, of the 14th Instant, to be reported to both Houses; which was read as follows:

For the Right Honourable the COMMITTEE of both Kingdoms at Derby-House.

My Lords and Gentlemen,

A Letter from General Fairfax, concerning the Distribution of his Forces.

I Have, in a Letter to Mr. Speaker of the House of Commons, from myself, and another Paper therein inclosed, represented what Distribution and Disposure of the Army and Forces, now in these Parts, we conceived to be most answerable to the Affairs of the West and of the Midland Parts. I have here sent your Lordships the Copies of both, and desire the Houses and your Lordships timely Resolution thereupon: In the mean Time, as thereby
your

your Lordships may perceive, I cannot find what Part of the Forces can at present be well spared hence to the Midland Parts, without some Prejudice to the Affairs here; and I hope the Midland Parts are not in such present Danger or Necessity, but what may be otherwise, for the Time, provided against; but if your Lordships do find there is a present Necessity of some Forces from hence, be pleased to signify what Proportion of Horse or Foot, or both, you find necessary to be sent, and whither; and your Commands therein shall be most readily obeyed by

AN. 21, CAR. I.

1645.

November.

Your Lordships humble Servant,

T. FAIRFAX.

Nov. 21. A Letter from Sir William Brereton was read as follows:

To the Right Hon. the LORDS and others of the COMMITTEE of both Kingdoms,

My Lords and Gentlemen,

THE Lord hath been pleased this Day to restore unto us the strong Castle of Beeston, which was lost about this Time two Years, and besieged by us about this Time Twelvemonth; since which Time they have had no more Liberty than what was obtained first, by Prince Rupert and Prince Maurice's Army, in March last, which raised us from that Siege; which being, after their Return, made good, we are again disturbed the second Time by the King's Army, who came within ten Miles of Nantwich, as he marched towards Leicester.

Another from Sir William Brereton, on his retaking Beeston Castle.

We found in the Castle about 80 Stand of Arms, some little Ammunition, but less Provision. The Governor, Capt. Valet, with about 50 of his Soldiers, was permitted to march away on Foot, with their Arms, to Flint, and so to Denbigh or Beaumaris; there remaining about 40, who laid down their Arms and submitted themselves, desiring Liberty to live at home. The Prize therein found was of very small

Value,

134 The Parliamentary HISTORY

An. 21. Car. 1.
1645.

November.

Value, but, such as it was, it is with Equality to be distributed among the Soldiers, who have performed a very tedious Siege. A great Part of that which they had exacted from the Country, was bestowed upon the Reparation and Furnishing of the Castle. It is reputed to be one of the strongest Places in these Parts of the Kingdom. We found their Horses in a weak and languishing Condition, the Governor's own Horse being scarce able to go out of the Stable. We were very exact in performing and making good the Conditions agreed upon; which, we hope, may produce a good Effect upon Chester, which is now so straitned on the Welsh Side, as no Manner of Provision can be brought unto them. I am,

My Lords and Gentlemen,

Nov. 17, 1645. Your most humble Servant,

WILLIAM BRERETON.

Nov. 22. The Speaker of the House of Lords acquainted them with a second Letter he had received from Prince Rupert, which was read as follows:

For the Right Hon. the LORDS and COMMONS assembled in Parliament at Westminster.

My Lords and Gentlemen,

Prince Rupert's
second Letter to
the Parliament
for a Pass.

*W*Hereas I made my former Address unto you by Lieutenant-Colonel Osborne, who had Instructions to deliver what were my further Desires; and conceiving that, perhaps, the Manner of the Representation might not be so acceptable, I have now made this immediate Application unto you; and have sent these my Desires, from which I conceive myself in Honour obliged not to recede, being Demands suitable to a Person of my Quality, and which would not be denied to the meanest General in other Nations: And for the Particular of our coming to London, (mine own and their Conveniences necessarily inducing us thereunto) I shall engage my Honour for myself and such as shall accompany

company me, that we shall do nothing prejudicial to An. 21. Car. I.
the Parliament: So, in Expectation of your Answer, 1645.
I rest, November.

Your Friend and Servant,

Worcester, Nov. 17,
1645.

RUPERT.

The Desires of his Highness Prince Rupert, Prince Maurice, Lord Hawley, Lord Gerrard, Sir Richard Willis, and such other Gentlemen and Commanders as are now with them,

I. **T**O have an ample and free Pass for themselves and their Retinues, with their Horses and all other necessary Accommodations, to go beyond the Seas, or else to stay in such Parts of the Kingdom as they shall think fit, they being no ways active against the Parliament, by bearing of Arms or otherwise.

II. That there be a convenient Caution given, and Course taken, that neither they, nor any of their Retinues, be questioned by the Parliament for any Act or Thing done by them from before the Beginning of this War; and that they may be restored to the same Condition they were in before it began, and may have all Sequestrations taken off; and that they may live quietly at their Houses without Molestation, if any of them shall make that Election.

III. That no Oath be tendered or imposed upon any of them, or further Engagement; and that Liberty may be granted to such as shall desire it, to pass to London, to settle their Business for their Conveniences abroad.

IV. That a List be taken, by an Officer appointed by the Parliament, of all such Persons Names as shall be intended to be included in these Demands, and that it may be done at Banbury.

To these Demands they do desire there may be an Answer returned; and if it be possible, or convenient, that it may be by the 27th of this Instant November, 1645.

RUPERT.

The

136 *The Parliamentary History*

AD. 21. Car. I.

1645.

November.

The Sense of the Lords upon these was, That they think it not fit to recede from what was formerly agreed upon by both Houses of Parliament, and sent by their Messenger, Mr. *Edward Pickering*: And that, if this be not accepted of, this House doth think fit to recall the said Mr. *Pickering* within fourteen Days.

Nov. 24. A Paper from the Scots Commissioners was reported to both Houses.

My Lords,

Nov. 22, 1645.

The Scots Commissioners press for an Answer to their several Remonstrances.

THE Lord-Chancellor of Scotland being, upon Tuesday next, to begin his Journey towards Scotland, we do earnestly entreat that the Honourable Houses would be pleased to return an Answer to our former Desires concerning the settling of Religion, the sending the Propositions of Peace to his Majesty, and the Entertainment of the Scots Army; and particularly that they would be pleased to give Order for Cloaths and other Necessaries for their Subsistence, and to pass an Ordinance of Parliament for the Security of such Persons as shall advance the Month's Pay, formerly promised by the Houses, to that Army now upon their march towards Newark; that the Lord-Chancellor may be enabled, in his Way, to give some Account to the Army of our Endeavours here for the Supplying their Necessities, and of our whole Proceedings to the Parliament of Scotland; and if the Honourable Houses have any Thing further to communicate to the Parliament of Scotland, that they would be pleased to make the same known, it being our earnest Desire to use all good Means for promoting this great Work wherein both Kingdoms are engaged, and for putting a speedy and happy Issue to the Troubles and Distractions of these Kingdoms.

By Command of the Commissioners for the Parliament of Scotland,

JOHN CHIESLEY.

Nov.

Nov. 28. This Day was read, in the House of Lords, a Letter, from *Walter Strickland*, Esq; the Parliament's Agent at the *Hague*, which gives some Account of what was then doing on the other Side of the Water.

An. 27. Car. I.
1645.
November.

For the Right Honourable the COMMITTEE of both Kingdoms at *Derby-House*.

Right Honourable,

THE Letters of both Houses and their Committees I delivered to the States General, and to the States of Holland. They will send Copies to the Admiralty, and recommend the Expedition of that Affair. I hope it will go well with them in Hull and York. De Witt is at the Hague.

A Letter from Mr. Strickland, the Parliament's Agent at the Hague.

My Lords, the States are informed, by their Ambassador, that the Parliament suffers the Spaniard to take up Men at London to serve against them in Flanders. Many of the Well-affected here are scandalized at it, as if the Parliament inclined much to favour the Interests of Spain.

They speak about the Parliament's maintaining Trade with Dunkirk their Enemy, yet forbid them the Trade of the Havens in the King's Hands.

It is like there will be ill Blood betwixt the King of Portugal and this State; for the Portugals in Brazil, in the West-Indies, have taken a strong Fort, called St. Austin's Fort, from the States, and, some say, two Ships laden with Arms sent from hence. The Portugal Ambassador here will not seem to know any thing of it, nor avow it as the King's Act; in the mean Time the West-India Company are preparing Ships and * * * for their Relief, and have 50,000l. to do it withall. Your Honours will see the Story more fully by the inclosed Letter, printed here.

My Lords, there is a constant Report, believed by many, that a Fleet of twenty-eight great Ships shall lie upon our Seas for the King of France. This is of great Concernment; and though I will not write it for a Certainty, nothing yet being acted in it by the

An. 21. Car. I.

1645.

December.

the State, yet I have heard it spoken of by Men of Quality; so that I durst not but advertise your Honours of it, as a Thing which is jealous; but if the Ships be to be made or bought here, as some report they are, it will give Jealousy to others as well as to us. I shall give you Advice as I shall have further Occasion hereafter.

I hear, from good Hands, that not only France and Sweden, but most of the Princes of Germany declare themselves favourable to the Interest of the Elector's Family; and some think the Swedes and the Emperor might more easily agree than the House of Austria and the French.

The Prince of Orange came home last Night late, or this Morning, for it was after Midnight when he came into the Hague.

*I am informed that Sir John Henderson, who came out of Denmark to * * * *, was here; that he saith, he will go into Scotland from hence; and that the King will speedily make a Peace with the Parliament of England or Scotland, but not with both: This is Design not Opinion. I am,*

Right Honourable,

Your most humble Servant,

Hague, Nov. 20.
1645.

WALTER STRICKLAND.

This Letter was ordered to be communicated to the House of Commons, and their Concurrence desired, that it may be recommended to the Admiralty to have a Care of the Sea Affairs.

Resolutions of
the Commons,
in regard to Pro-
motions and
Grants in their
intended Propo-
sitions for Peace.

December. On the first of this Month the House of Commons debated the Propositions of Peace to be sent to the King, and, inter alia, came to the following remarkable Resolutions:

That his Majesty be desired, in these Propositions, to grant the Title and Dignity of a Baron of England to Sir Thomas Fairfax, and the Heirs Male

Male of his Body; and that an Estate in Land of An. 21. Car. I.
5000 l. *per Annum* be settled on him and his Heirs
for ever, in Fee Simple, in Acknowledgment of his
many great and faithful Services to the Kingdom:
That his Father, *Ferdinando Lord Fairfax* [of
Scotland] be made a Baron and an Earl of *England*.
And, for the same Reasons,

1645.
December.

‘ That *Robert* Earl of *Essex*, *Algernon* Earl of
Northumberland, *Robert* Earl of *Warwick*^f, and
Philip Earl of *Pembroke* and *Montgomery*, be made
Dukes; and that *William* Earl of *Salisbury*, and
Edward Earl of *Manchester*, be made Marquisses.

‘ That *William* Lord Viscount *Say* and *Sele*,
John Lord *Roberts*, *Francis* Lord *Willoughby* of
Parham, and *Philip* Lord *Wharton*, be made Earls.

‘ That *Denzil Holles*, Esq; be made a Viscount
of *England*.

‘ That *Sir Henry Vane*, senior, be made a Baron.

‘ That *Oliver Cromwell*, Esq; Lieutenant-Ge-
neral, and *Sir William Waller*, be made Barons of
England, and have each 2500 l. *per Annum*, settled
on them and their respective Heirs for ever, in Fee
Simple.

‘ That *Sir Arthur Haselrig* and *Sir Philip Sta-
pilton* have each 2000 l. *per Annum*.

‘ That *Sir William Brereton* have 1500 l. *per
Annum*. And

‘ That Major-General *Skippon* have 1000 l.
per Annum, settled on them and their respective
Heirs for ever, in Fee Simple.

‘ That the Persons now named to be created
Dukes, Marquisses, Earls, Viscounts, or Barons,
shall inherit the said respective Titles and Digni-
ties, in the same Priority and Precedency, accord-
ing to those respective Titles of Dignity, or other
Precedencies they now hold.

‘ That

^f In the *Resolution* relating to the Earl of *Warwick*, there is
this remarkable Limitation of the Titles, *viz.* ‘ To descend upon
his Grandchild, and upon the Heirs of his Grandchild; with a
Clause of Exception, That it may not descend upon the Lord *Rich*,
his now eldest Son.’ This, we presume, was owing to the Lord
Rich’s having been in Arms against the Parliament.

AN. 27. CAR. I.

1645.

December.

‘ That the Lands and Estates this Day conferred, except the Estate conferred upon Sir *Thomas Fairfax*, shall not inure to the Persons they are conferred upon, untill the Public Debts and Engagements of the Kingdom be first satisfied.

‘ That this House doth declare, That it shall be an acceptable Service for any Person to inform this House of any of their Members that, by himself, or others, directly or indirectly, hath taken or received any Money or other Thing, of any Persons, for any Matter depending in this House, or any Committee thereof, since the Beginning of this Parliament.’

Mr. *Whitlocke* adds to the foregoing *Resolutions*, That the Lord *Howard* was to be made an Earl, also Sir *Philip Stapylton* and Sir *Arthur Haselrig*, Barons: But the *Journals* make no Mention of these three last intended Promotions.

December 2. This Day the Earl of *Manchester* acquainted the Lords, That he had received a Letter from the Earl of *Leven*, with Notice that he was come up with the Scots Army to *Newark*; and desired to know who should command there in Chief. Upon this the House thought fit to appoint General *Leven* to command all the Forces, both *English* and *Scots*, that should be employed before *Newark*, during their Continuance at that Place: But, at a Conference with the other House about this Appointment, the Commons were not willing to trust the Command to one single Person, and desired that a Joint-Committee of *English* and *Scots* should reside with the Army before *Newark* and act in that Office; which was agreed to by the Lords, with this Proviso, That the *English* Committee should consist of a Number of Lords and Commons, to act under such Instructions as should be agreed on by both Houses.

The Siege of this important Town, which had long been a great Grievance to the Parliament, being

A Joint-Committee of English and Scots Commissioners appointed to attend the Parliament's Army at the Siege of Newark.

being now begun; this Day, *December 5*, the following Intelligence came from thence, and was communicated to the Lords, along with a Letter from the *Scots Commissioners in London*. The Letter was as follows:

An. 21. Car. L.
1645.
December.

For the Right Honourable the Lord GREY of Warke, Speaker of the House of PEERS pro Tempore,

My Lord,

WE received Yesternight, in a Letter from his Excellency the Earl of Leven, the Particulars of the taking of Muskam-Bridge, which we send you here inclosed. The Officers and Soldiers of our Army are reduced to greater Wants and Extremities than we are willing to express, and unless they be very speedily supplied with Money, Cloaths, and other Necessaries, they are no ways able to prosecute the Service: We do therefore earnestly entreat, that you would be pleased to put the Houses in mind to give Order for their Supply with all possible Expedition. The General hath written divers Times to the Committees at Derby, Nottingham, and Lincoln, to contribute their Assistance in furnishing them with Provisions, but hath received no Answer; which moveth us again to desire, that the Houses would be pleased to appoint some to repair thither, who may take Care to furnish them with Provisions; which shall oblige us to remain

Your Lordship's very affectionate Friends,

Worcester-House,
Dec. 5, 1645.

And humble Servants,

BALMERINO.

CHAR. ERSKINE. H. KENNEDY.

The Letter referr'd to in the foregoing was as follows:

UPON the 26th of this Instant November, having come to this Place, within a Mile of the Town, I caused to draw a Line close to Muskam-Bridge, where-

An. 21. Car. 1.
1645.

December.

whereupon I placed Musqueteers, and sought all Means to cross the River, and storm the Sconce upon the other Side; but the Enemy, apprehending the Design, sallied out Yesterday Morning before the Break of the Day, and attempted the cutting off the Bridge, from which they were beat off by our Musqueteers with little Loss; afterwards they set Fire to the Draw-Bridge, but our Forces falling on did beat them back, and extinguished the Fire, which made them forsake their Works; so that we are now Masters both of Bridge and Sconce.

But whilst this bloody Scene was carrying on in the Depth of Winter, the House of Commons, it seems, were not unmindful of Peace; for the same Day they sent up a Message to the Lords, importing, 'That they had considered the great Pressures and Miseries the Kingdom laid under, by this unnatural War; and out of their Desires to have a safe and well-grounded Peace obtained, they had prepared some Propositions to be presented, to his Majesty, in which were some Alterations different from those presented formerly to him; and to which they desired their Lordships Concurrence.'

Dec. 8. Whilst these Propositions were under Consideration of the Lords, the Speaker acquainted that House with a Letter, delivered him by a Trumpet the Night before; it was a Letter from the King, inclosed in one from Sir Thomas Glemham, Governor of Oxford; which was read as follows:

For

h Sir Thomas Glemham had been Governor of Carlisle, which Garrison he held for the King during a Siege of eleven Months, but upon surrendering it to General Lesley, had Liberty to march to wherever the King was; accordingly, in September this Year, he was made Governor of Oxford, in the room of Col. Legge, who had been imprisoned by the King, after Prince Rupert's Surrender of Bristol, as a Person much in his Highness's Favour, and therefore like to be subservient to any of his Commands.

Clarendon, Vol. IV, p. 695. Whitlocke, p. 159.

For the SPEAKER of the House of PEERS *pro* An. 21. Car. 1.
Tempore. 1645.

CHARLES R.

December.

HIS Majesty being deeply sensible of the Continuation of this bloody and unnatural War, cannot think himself discharged of the Duty he owes to God, or the Affection and Regard he has to the Preservation of his People, without the constant Application of his earnest Endeavours to find some Expedient for the speedy ending of these unhappy Distractions, '[if that may be] doth therefore desire, That a Safe-Conduct may be forthwith sent for the Duke of Richmond, the Earl of Southampton, John Ashburnham and Jeffrey Palmer, Esqrs. and their Attendants, with Coaches, Horses, and other Accommodations for their Journey to Westminster, during their Stay there, and Return when they shall think fit: Whom his Majesty intends to send to the Lords and Commons assembled in the Parliament of England, at Westminster, and the Commissioners of the Parliament of Scotland, furnished with such Propositions as his Majesty is confident will be the Foundation of a happy and well-grounded Peace.

The King's
 Message, of the
 5th of December,
 for Peace.

Given at the Court at Oxford the 5th of December, 1645.

The Lords took this *Message* from the King immediately into Consideration; and it was moved to send it to the Commons with this Sense upon it, *viz.* 'That this House did not think it fit there should be a Safe-Conduct granted to those four Persons upon this *Letter*.' But the Question being put, Whether to have this Sense declared before it be sent down? it was resolved in the Negative. Thereupon the *Letter* was sent to the House of Commons; with a Desire only that they would communicate it to the Scots Commissioners.

Dec. 9. The Trumpet which brought the foregoing Packet from the King, was sent back with the

¶ Omitted in *Rushworth*, but supplied from the *King's Works*,

An. 21. Car. I. the following Letter, signed by the Speakers of
1645. both Houses :

December.

For Sir THOMAS GLEHAM, Governor of
Oxford,

S I R,

WE have received your Letter of the 5th instant, with his Majesty's inclosed, and have sent back your Trumpet by Command of both Houses, who will, with all convenient Speed, return an Answer to his Majesty, and rest

Your loving Friends, &c.

Dec. 16. The Houses had long been upon sending an *Answer* to the *Papers* they had received from *Scotland*, which being, at last, agreed upon, was read in the House of Lords this Day.

The Parliament's
Answer to the
several Papers
lately presented
by the Scots
Commissioners.

THE Lords and Commons assembled in the Parliament of *England* at *Westminster*, having received several *Papers* from the Commissioners of the Parliament of *Scotland*, particularly one of the 29th of *September*, and another of the 9th of *October*, to the Matters therein contained they return this *Answer* :

Concerning the Payment of the *Scots Army*, so much insisted on in your Lordships *Papers*, the several *Declarations*, and the divers Courses and Ways which, in the said *Papers*, are expressed, and acknowledged by your Lordships to have been made and taken by us for the Payment of that Army, sufficiently witness our constant Care and manifold Endeavours for the Supply thereof; and if all those Ways have, notwithstanding, proved so little effectual as your Lordships alledge, yet can it not in any Sort be imputed to the Houses of Parliament; who no sooner have had any Wants of that Army, or any Obstructions in the Ways taken for the Entertainment thereof, represented unto them, but they have forth-

forthwith applied themselves to supply the one
and remove the other, to the utmost of what lay in
their Power. Before the *Scots* Army was enter-
ed into this Kingdom, we appointed a Commit-
tee to sit purposely at *Goldsmiths-Hall*, to pro-
vide Monies and Necessaries for the Support
thereof; this Committee hath sat ever since
constantly to that End, and to put forward the
Execution of our *Ordinances* therein, whereat,
twice a Week, some of the Commissioners of
Scotland themselves were present, to be Witnesses
and Promoters of their Diligence; the same
Committee had their Agents in every County:
To quicken the Execution of our Orders below
in the Country, we allowed Salaries and Rewards
to the Diligent, we gave Power to punish the
Negligent, and all that should in any Sort divert
or obstruct the Coming in of those Assessments:
When the Course first designed for the Pay-
ment of the *Scots* Army, out of the Estates of
Papists and other Delinquents, answered not Ex-
pectation, we provided for it as for other Armies,
by way of Tax and Assessment upon several
Counties; and when those of the *Northern* Parts
proved insufficient for so great a Charge, we
added others thereunto, and those of the most
entire and quiet Parts of the Kingdom; where
first was laid an Assessment of 200,000 *l.* in Gross,
and, after, a monthly Assessment of 21,000 *l.*
per Month. There was never any Expedient
offered unto us for the Removal of any Obstruc-
tion in the raising of those Assessments, which
we did not readily assent unto; there was never
any Thing desired of us by our Brethren of
Scotland, which was in our Power to grant, which
we have not willingly agreed unto for the more
speedy and effectual Execution of our *Orders* for
the Pay and Support of that Army; there was
no Course taken for any other Army, but we
have taken the like also for the *Scots*; so that we
may truly affirm, That it hath not rested on us,
that that Army hath not been as well paid and pro-

An. 21. Car. I.
1645.

December.

provided for, as any other whatsoever; but if the
 Activeneſs and great Succeſſes of ſome other
 Armies have given us more Credit in procuring
 Money to be advanced for them, or more quick-
 ned the Spirits of the People to pay in their Af-
 ſeſſments to them, ſurely that ought not to be
 turned into Matter of Complaint againſt us, ha-
 ving found the ſame by Experience, from Time
 to Time, in the Payment of the Armies of our
 own Nation; poſſibly alſo the Pay of other Ar-
 mies may appear more conſtant, and their Wants
 leſs, than it is well known to us that both one
 and the other have been: Neither have our En-
 deavours been altogether ſo ineffectual for the
 Supply of the *Scots* Army, but that from the ſixth
 of *October*, 1643, to the firſt of *November*, 1645,
 there hath been actually paid to them, in Money,
 and Proviſions for which Money hath been iſſued
 out of *Goldſmiths-Hall*, the Sum of 220,629 *l.*
 Sterling, beſides 9000 *l.* in Money and Lead
 paid unto them at *York*; and what they have re-
 ceiv'd upon the Aſſeſſments of the *Northern* Parts,
 appointed to be paid into the Lord Mayor of
York, and upon the Fifth and Twentieth Part,
 and from the Coal and Excife of *Newcaſtle*, and
 of the *Northern* Parts, or otherwiſe, by any Af-
 ſignments of both Houſes of Parliament; and like-
 wiſe beſides another Aſſignment of 2000 *l.* per
 Month, aſſeſſed upon the County of *York*, in
 Monies and Proviſions, for four Months during
 the Siege of *York* and after, amounting to 88,000 *l.*
 and alſo beſides 10,000 *l.* more to cloath the
 Soldiers of that Army upon their Return to *New-*
caſtle, over and above all that themſelves had le-
 vied in the ſeveral Counties where they have
 been, and their free Quarter and diſorderly Plun-
 derings; which (if they have been ſo exceſſive
 as the Cry thereof from ſeveral Parts repreſenteth
 them to our Ears) it is not much to be wondered
 at, if the Water run more ſparingly from the
 Ciſterns and Conduit, when it is ſo much ex-
 hauſted at the Spring Head, from whence the
 Aſſeſſ-

‘ Assessments for the Entertainment of that Army, An. 21. Car. I,
‘ and others, should have risen. 1645.

‘ Concerning the Excise of the *Northern Parts*,
‘ and the Ways that are alledged to be taken to
‘ divert it from the *Scots Army*, by Forestalling it
‘ here in the *South*, and applying it to other Uses;
‘ no such Practices have been made known to us;
‘ and whensoever they shall be discovered, we shall
‘ be ready to apply fitting Remedies thereunto.

December,

‘ And for the Coal of *Newcastle*; possibly the
‘ Profits thence arising might fall very short of the
‘ Estimate made thereof, in some one Month;
‘ but, in other Months, it hath come in in greater
‘ Quantities; and we find that, for these Twelve-
‘ months last past, there hath actually come in, and
‘ been taken to the Use of that Army, upon the
‘ Coals of *Newcastle* and *Sunderland*, above 53,000 *l.*
‘ Sterling, whereof 4500 *l.* were of the Customs
‘ belonging to the Navy: And if, upon taking of
‘ *Newcastle* by the *Scots Army*, the Course for the
‘ managing of the Coals, settled by both Houses
‘ of the Parliament of *England*, in the Commit-
‘ tee of *Goldsmiths-Hall*, had not been interrupted,
‘ the Committee might have been better able to
‘ have given an Account of any Decay of Trade
‘ therein, and how it hath happened that many
‘ Months it hath fallen below the first Estimate
‘ thereof.

‘ Having made *Answer* to the most material
‘ Points in your Lordships *Papers*, concerning the
‘ Pay of the *Scots Army*; as you have very fre-
‘ quently and very freely declared unto us the Wants
‘ and Necessities thereof, through Default of Pay,
‘ so shall we also, with the like Freedom and Bro-
‘ therly Affection, represent to our Brethren of
‘ *Scotland* some Particulars concerning the Proceed-
‘ ings of that Army: It is well known unto your
‘ Lordships, that we have, upon divers Occasions,
‘ signified our Advices and Directions how that
‘ Army might employ itself most effectually for
‘ the Advancement of the Public Service of this
‘ Kingdom, by engaging against the Common

An. 21. Car. 1.

1645.

December.

Enemies, and the Places held and possessed by
 them; wherein, by what Occasion we know
 not, we have found ourselves several Times dis-
 appointed of our Hopes and Expectations; by
 which Means not only the Common Cause hath
 been retarded, but also the Ends frustrated for
 which the Assistance of so great an Army was
 desired by us, which was, that a speedy Conclu-
 sion might be put to these unhappy Wars. We
 shall not need to go further back for an Instance
 than to that whereof the Sense is freshest in our
 Minds, and which, in that Conjuncture of Time,
 and of our Affairs, proved very prejudicial to the
 Service of this Kingdom; which was the conti-
 nuing of that Army in the *North*, where no
 Enemy was, and not marching to besiege *New-*
ark, at such Time as it was thereunto desired
 by both Houses of Parliament; altho' they not
 only expressed their Desires therein, but also their
 Care in the Provision of Money and Ammuni-
 tion to enable and encourage them to undertake
 that Work; but having received no Satisfaction
 at all in that Particular till that now, by your
 Lordships Letter of the 12th of *November*, the
 Resolution of the General, the Earl of *Leven*,
 concerning the Marching of that Army towards
Newark, was signified unto us: By Means of
 this Delay, not only the *Northern* Parts have
 lain all this while under a most unsupportable
 Burden, but also the fairest Opportunity that
 hath yet offered itself unto us, since the Begin-
 ning of this War, of putting an End to our
 Miseries, together with the Season of the Year
 for the speedy reducing of that Place, which
 was the principal Ground of our Resolution in
 that Particular, is already slipped out of our Hands;
 and the Advance of the 30,000 *l.* which we had
 good Hope, and some Assurance of, from the
 City, for the Use of that Army, in case it came
 to *Newark* before the first of *November*, and not
 otherwise, is rendered more difficult and doubt-
 ful unto us.

It

‘ It was far from our Intentions, that the Scots Army should neither be provided for by us, nor yet suffered to provide for their own Subsistence; nor doth the contrary appear by any Actions or Omissions on our Part, nor yet by any Sufferings of that Army; but that, according to our Power, we have made Provision for them, and that they also have supplied themselves.

An. 21. Car. I.
1645.
December.

‘ We shall remember, according to your Lordships Expressions in your *Papers*, That not written Ordinances but real Payments must satisfy the Necessities of the Soldiers; and we hope it shall be as well remembred also, how far better than Paper our *Ordinances* have proved to that Army, which hath not been more ready to engage itself really in the Service of this Kingdom, than we have been forward to pay it, and really to satisfy the Necessities of the Soldiers; and therefore desire that such Expressions may be foreborne, which may seem to derogate either from the Honour of the Proceedings or of the *Ordinances* of Parliament.

‘ When the *Treaty* was concluded between the two Kingdoms, it was supposed that such might be the Wants or Necessities of this Kingdom, as that they might not be able to make due and constant Payments to the Scots Army; yet was it not supposed, that, in Default thereof, they might forbear to engage their Army, much less lay Taxes upon the People of *England* to pay themselves, this Kingdom being to give their Public Faith for the Payment of their Arrears, with Interest; as, on the other Side, the Kingdom of *Scotland* gave their Public Faith, That neither their Entrance into, nor Continuance in the Kingdom of *England*, should be made use of to any other Ends than such as are contained in the *Covenant* and Articles of the *Treaty*. That it is contrary to the Liberties of the Subjects of *England*, that any Taxes or Levies of Money should be made, raised, or levied upon them, without the Consent of both Houses of Parliament, we

An. 27. Car. 1.
1645.

December.

need not declare to your Lordships: And we are
 sorry that the Cries of the People which continually sound in our Ears, especially of the *Northern*
 Parts, brought to us under the Hands of such as
 we have entrusted there, should enforce us to re-
 present unto our Brethren of *Scotland* the great
 Complaints which, long since, and at this present,
 are made of the laying of Taxes of Money, and
 other Things, by some of the *Scots* Army; and
 that also in very vast and excessive Proportions, be-
 sides free Quarterings and disorderly Plunderings
 of Horses, and other Goods; which Courses be-
 ing taken and continued, it cannot be expected
 that we should continue the monthly Pay of that
 Army; which, though we have not taken Occa-
 sion to stop and surcease upon Taxes and Levies
 of Monies, and other Proceedings of that Army,
 yet we expect, as that which of Right is due,
 that, out of it, Deduction and Satisfaction shall
 be given in the Premises.

And as we are obliged to make good the
 monthly Pay of that Army, according to the
Treaty, so long as we shall find it necessary to
 use the Assistance thereof within this Kingdom,
 and no longer; so is that Army likewise bound
 to demean themselves conformable to the Te-
 nour of the *Treaty*; and, according thereunto, to
 give Satisfaction unto this Kingdom that such
 Forces of the *Scots* Nation, as have been put in-
 to the several Garrisons of *Newcastle upon Tyne*,
 the City of *Carlisle*, and other Places in the
North, without the Consent of both Houses of
 the Parliament of *England*, shall be removed;
 to the Intent that the same may be disposed of in
 such Manner as shall be thought fitting by the
 said Houses of Parliament, the Performance
 whereof we have demanded from the Kingdom
 of *Scotland*, by our *Letters* to that Parliament.

These Things we held ourselves bound to re-
 present to our Brethren of *Scotland*, as well in
 Discharge of the Trust reposed in us, for the Pre-
 servation of the Interest and Liberties of this
 King-

An. 21. Car. 1,
1645.

December,

Kingdom, as also the better to maintain the Union and good Correspondency between the two Kingdoms; which being the surest Foundation of Security and Prosperity to both Kingdoms, it always hath, and always shall be the firm Resolution of both Houses of the Parliament of *England*, to maintain and preserve the same, according to the *Covenant* and *Treaty*; the common Rules and Marks which both Kingdoms have set up to themselves to steer their Course by in the pursuing of their joint Interests, and for the attaining of the good Ends therein expressed and contained, from which we desire that there may be no Swerving on either Side; hoping and expecting the like Redress and Satisfaction from our Brethren of *Scotland*, upon any Infringement thereof, as we should be ready to give unto them, if any such Thing should happen on our Part.

Concerning Religion and the settling of Church Government; as there is nothing wherein we have more desired to approve our Consciences to God, and our Actions to the World, so do our Hearts give us a very clear Testimony of the faithful and diligent Discharge of our Duty therein, according to the Trust reposed in us, and the *Covenant* taken by us; and we conceive our Actions witness no less to all that will rightly weigh and consider what we have already done therein, and with what Diligence and Zeal we have, from time to time, proceeded in that Work of God; being resolved to continue in so doing, till we have fully supplied what shall yet appear to be wanting therein: It being always to be remembered, that the preserving the Liberty and Freedom of our Debates and Resolutions in Parliament, is not to be interpreted or termed Negligence or Delay in us.

As to the *Propositions* of Peace to be sent to his Majesty, in Pursuance of our *Resolutions* of the 6th of *August*, communicated to your Lordships; we have proceeded therein as the Exigence of our Affairs

152 *The Parliamentary History*

An. 27. Car. 1.

1645.

December.

Affairs would permit; and the *Propositions* being at this present continually in Agitation and Debate in Parliament, we are resolved to apply ourselves both speedily and effectually to the perfecting of them, according to the present State of Affairs; and we doubt not but our Actions shall testify to our Brethren of *Scotland*, and all the World, that there is no earthly Thing more in our Thoughts and Desires, than the settling of a safe and well-grounded *Peace* in the three Kingdoms, for which we have done and suffered as much as any Kingdom in the World.

JO. BROWN, *Cler. Par.*

The same Day the following Draught of an *Answer* to the King's last *Message* was read and agreed to by the Lords; the Earl of *Lincoln*, tho' he had taken the *Covenant* since he was last admitted into the House, only dissenting.

May it please your Majesty,

A Draught of an Answer to the foregoing *Message* from the King;

THE Lords and Commons assembled in the Parliament of *England* at *Westminster*, have received your *Letter* of the 5th of this Instant *December*, by a Trumpet from Sir *Thomas Glemham*; and having, together with the Commissioners of the Parliament of *Scotland*, taken the same into their serious Consideration, have commanded us to return this their humble *Answer*.

They have, in all their Actions, manifested to your Majesty and the World, their sincere Desires that a safe and well-grounded *Peace* might be settled in your three Kingdoms; and, for the obtaining so great a Blessing, shall ever pray unto God, and use their utmost Endeavours; and should have counted it a great Happiness, if your Majesty's Actions had been answerable to the Expressions you have so often made concerning your Desire of *Peace*.

As to your Majesty's Desire of a Safe-Conduct for the coming hither of the Duke of *Richmond*,

mond, the Earl of Southampton, John Ashburnham, and Jeffry Palmer, Esqrs; with Propositions from you; the Persons formerly employed from your Majesty, on the like Occasion, having agitated other Things to the Disadvantage of the Parliament, they cannot admit thereof.

An. 27. Car. I.
1645.

December.

And finding that former *Treaties* have been made Use of by your Majesty for other Ends, under Pretence of *Peace*, the Lords and Commons, and the Commissioners for the Kingdom of Scotland, sithence the Breach of the *Treaty* at *Uxbridge*, have resolved and agreed to send Propositions and Bills unto your Majesty, for the obtaining of a safe and well-grounded *Peace*; and to desire your Answer unto them, without any *Treaty* to be had thereupon; and this they intend to do with all convenient Speed.

Dec. 13. The foregoing Draught being ordered to be communicated to the Scots Commissioners for their Approbation, before it was sent away, they returned the following Answer and Exceptions to it: Which being communicated to the Scots Commissioners,

My Lords and Gentlemen,

Dec. 12, 1645.

HAVING received from your Lordships his Majesty's Letter of the 5th of this Instant, to the House of Peers, and at the same Time a Draught of the Answer of both Houses to that Letter, we find in that Answer some Particulars, wherein we are named as Consenters, to which we cannot agree; neither would it, we are confident, have been expected from us, if our former Papers had been considered, or we consulted therein, as formerly upon the like Occasions; concerning which we are ready to give your Lordships Satisfaction by Conference.

By Command of the Commissioners for the Parliament of Scotland.

JOHN CHIESLEY.

Ex-

An. 21. Car. 1. EXCEPTIONS to the foregoing Draught of an ANSWER to the KING's Message.

1645.

December.

They make several Exceptions to it.

WHEREAS, according to the Order of both Houses of Parliament, a Draught of their Answer to his Majesty's late Letter is, by this Honourable Committee, communicated to us, the Commissioners of the Parliament of Scotland, we have taken both the Letter and the Draught of the Answer into our serious Consideration; and, with the Honourable Houses, do, in the Name of the Parliament of Scotland, from our Hearts pray and desire, according to our former Wishes and Endeavours, that a safe and well-grounded Peace may be settled in his Majesty's Dominions; which we are apt to conceive may now, by the Blessing of God, be brought to pass, when both his Majesty hath made the Motion on one Hand, and the Honourable Houses of Parliament have resolved and agreed to send Propositions and Bills to his Majesty on the other, for the same much-desired End.

Only, according to our Interest and Affection, and in Relation to so great a Happiness, we do express our Sense concerning some Particulars in the Answer:

First, If that it may seem good to the Wisdom of the Honourable Houses, instead of these Words, *And should have accounted it a great Happiness if your Majesty's Actions had been answerable*, that the Expression might run thus, *And shall account it a great Happiness that your Majesty's Actions be answerable*.

Next, Concerning that Part of the Answer, which seemeth to bar all further Treaty, we refer ourselves to our Paper of the 14th of August, wherein we declared ourselves most willing, that not only the three main Propositions debated at Uxbridge, but also all or any of the other Propositions of Peace, already agreed upon by the joint Consent of both Kingdoms, which, upon mutual

‘ tual Debate, should be adjudged necessary, should
 ‘ be sent, with a Desire of a positive *Answer* with-
 ‘ out any *Treaty*; but, withall, did shew, that if
 ‘ any new *Propositions* of *Peace*, or any material
 ‘ Additions to, or Alterations of, the former *Pro-*
 ‘ *positions* were to be sent, in that Case we were
 ‘ necessitated to send them to the Kingdom of
 ‘ *Scotland*, to be there considered and approved;
 ‘ as is more fully contained in that our *Paper*,
 ‘ which we desire may be taken into Considera-
 ‘ tion at this Time; and this is all that is in our
 ‘ Power, or can be expected from us, in Matters of
 ‘ so great Importance as cannot be determined
 ‘ without the particular Knowledge and expres
 ‘ Consents of the Parliaments of both Kingdoms,
 ‘ united by so many Bonds of Covenant of doing
 ‘ and sustaining in this common Cause.

An. 21. Car. I.
 1645.
 December.

‘ To the Point of denying the Safe-Conduct;
 ‘ the Houses having declared their Opinion, we
 ‘ do agree, and earnestly do desire that, without
 ‘ Delay, the *Propositions*, already agreed upon,
 ‘ may be sent to his Majesty for a positive *Answer*;
 ‘ but if any of them be alter’d, or any other ma-
 ‘ terial Difference be intended, which may lay a
 ‘ Necessity upon us of sending them to the Parlia-
 ‘ ment of *Scotland*, to be there considered and re-
 ‘ turned hither with their Sense; and so the Win-
 ‘ ter, the fittest Season for a *Treaty*, spent in De-
 ‘ bates upon new *Propositions*, the present Oppor-
 ‘ tunity lost, Occasion given to our Enemies to
 ‘ use the more Art and Industry for bringing in fo-
 ‘ reign Forces, when they apprehend, by our De-
 ‘ lays, their Motion of *Peace* not to be entertain-
 ‘ ed, (besides many other Inconveniencies well
 ‘ known to the Honourable Houses, and felt by all
 ‘ the three Kingdoms, which accompany our pre-
 ‘ sent Distractions) the Continuance or Increase
 ‘ of the common Miseries, through not settling of
 ‘ a happy *Peace*, cannot be imputed to us; who
 ‘ have not ceased constantly to expres the sending
 ‘ the *Propositions* agreed upon by both Kingdoms,
 ‘ ever since the 20th of *June* last; have used our
 ‘ best

156 *The Parliamentary History*

An. 21. Car. 1.
1645.

December.

best Endeavours, upon all Occasions, with the Honourable Houses, from Time to Time; and have left no good Ways or Means, in our Power, unessay'd, which might deliver these Kingdoms out of their Trouble and Sufferings, and settle them in a blessed Peace: It is therefore our earnest Desire, That the present Opportunity of Pacification be improved, unto which we are ready to join our uttermost Endeavours, waiting for the Success from the Blessing of God.

By Command of the Commissioners for the Parliament of Scotland.

JOHN CHIESLEY.

Dec. 16. The following Instructions for the Committee, who were to reside in the Scots Army before Newark, were read and agreed to.

INSTRUCTIONS for John Earl of Rutland, Theophilus Earl of Lincoln, Francis Lord Willoughby of Parham, Edward Lord Montague, Members of the House of Peers; William Pierpoint, Esquire, Sir William Armyn, Baronet, Sir Arthur Heselrig, Bart. Sir Edward Ascough, Sir Christopher Wray, Sir Anthony Irby, Knights, Thomas Hatcher and William Ellys, Esquires, Members of the House of Commons.

Instructions for the Committee of both Houses appointed to reside with the Army before Newark.

WHEREAS by several Treaties, agreed between the two Kingdoms, divers Things are to be performed and done, by the joint Advice of both Kingdoms, or their Committees therunto authorized, which cannot be so well transacted but by those upon the Place: You, or any three of you, whereof one Peer, and two Members of the House of Commons, always to be present, have hereby full Power and Authority given you, to go to the Scots Army now in England; and to advise, debate, and conclude, with our Brethren of Scotland, or such as shall be authorized by them thereunto; and, by joint Advice with them, to put in Execution all such Matters

‘ Matters and Things, concerning the well Or-
 ‘ dering, Directing, and Disposal of the Forces
 ‘ brought in and employed by them for our Assist-
 ‘ anced, as shall be found requisite and needful,
 ‘ from Time to Time, for the Prosecution of this
 ‘ Cause, and the Ends expressed in the *Covenant* :
 ‘ And have hereby full Power and Authority to
 ‘ order, dispose, and direct the said Army, ac-
 ‘ cording to the Articles of the *Treaty*.

An. 21. Car. I.
 1645.
 December.

‘ You shall do your utmost Endeavour, that
 ‘ the Enemy be vigorously prosecuted, and all Ad-
 ‘ vantages taken for the speedy ending of this War.

‘ You shall take special Care for the reducing
 ‘ of *Newark*, and that the Forces do quarter as
 ‘ near thereunto as may be.

‘ You are to do your utmost Endeavours, for the
 ‘ Continuance of a good Correspondence between
 ‘ the two Kingdoms, and their Forces.

‘ You are to acquaint them with the great
 ‘ Streights we are in, for want of Money ; and,
 ‘ that whatsoever Failing of Payments (according
 ‘ to the *Treaty*) have been from hence, have not
 ‘ proceeded from any Want of Affection or In-
 ‘ tention to make good our Engagements.

‘ You are to acquaint them, That a monthly
 ‘ Assessment is made for Maintenance of their Ar-
 ‘ my ; and that Care is taken for the speedy Pay-
 ‘ ment thereof.

‘ You are to take Care, that, from Time to
 ‘ Time, exact Musters be taken, by such as you
 ‘ shall appoint, of all the Forces, both Horse and
 ‘ Foot, and Train of Artillery, now under the
 ‘ Command of the General the Earl of *Leven* ;
 ‘ which you shall, from Time to Time, certify
 ‘ to both Houses of Parliament.

‘ That there be no Want of Provisions, and
 ‘ other Necessaries, for the Armies, you are
 ‘ hereby authorized to send Warrants, under the
 ‘ Hands of you, or any three of you, as aforesaid,
 ‘ unto the Counties of *York*, *Lincoln*, *Nottingham*,
 ‘ *Derby*, *Leicester*, *Rutland*, *Northampton*, *Cam-*
 ‘ *bridge*, and the Isle of *Ely*, or any other Counties

‘ ad-

158 *The Parliamentary HISTORY*

An. 21. Car. 1.

1645.

December.

‘ adjacent, as you shall think fit, for the furnishing Provisions, and other Necessaries, for the Army: And you are to call to your Assistance, and to name and authorize, such Gentlemen and others, in the aforesaid Counties, as you shall think fit, to be Sub-Committees, for the better putting this *Instruction* in due Execution: And the said Committees in the said several Counties are hereby required to be, from Time to Time, aiding and assisting to you herein.

‘ You are to endeavour, that all Provisions, or other Necessaries, provided by your Care, be so ordered, that Account may be made of what is taken; and that the said Provisions may be discounted, upon the Pay of the said Army, as also whatsoever Provisions have or shall be taken, by the *Scots* Forces, either by Ticket or without.

‘ You are to take Care, that there be no Plundering, Robbing, or Spoiling of the Countries where the said Armies shall be: And that equal Justice be done between the Army and the People.

‘ You are to take Care, that no Protection be granted to any Delinquent, contrary to the *Ordinances* of Parliament.

‘ You are further to take Care, that the several *Ordinances* be put in due Execution against Papists and Delinquents, notwithstanding any Protection whatsoever.

‘ You are to acquaint both Houses of your Proceedings, from Time to Time; and to observe these *Instructions*, and such farther Directions and Instructions as you shall hereafter receive from both Houses of Parliament.

Farther INSTRUCTIONS for John Earl of Rutland, &c. [*as before.*]

‘ **Y**OU, or any three or more of you, whereof there is to be one Peer and two Members of the House of Commons always present, have

“have hereby full Power and Authority to order
 “and direct all the *English* Forces that are, or shall
 “be, employed for the Reducing of *Newark*, or that
 “are, or hereafter shall be, employed to join with,
 “or be assisting to, the *Scots* Army. And they are,
 “from Time to Time, to give Obedience to such
 “Orders and Commands as they shall receive
 “from you.”

An. 27. Car. I.
 1645.
 December.

Dec. 17. The King having yet received no Answer to his last *Message*, thought fit to second it with another; which was delivered to the Lords, this Day; and was in *hæc Verba*.

For the SPEAKER of the House of PEERS
pro Tempore.

CHARLES R.

HIS Majesty cannot but extremely wonder that, after so many Expressions on your Part, of a deep and seeming Sense of the Miseries of this afflicted Kingdom, and of the Dangers incident to his Person during the Continuance of this unnatural War; your many great and so oft repeated Protestations, That the raising of these Arms hath been only for the necessary Defence of God's true Religion, his Majesty's Honour, Safety, and Prosperity, the Peace, Comfort, and Security of his People, you should delay a Safe-Conduct to the Persons mention'd in his Majesty's Message of the 5th of this Instant December, which are to be sent unto you with Propositions for a safe and well-grounded Peace: A Thing so far from having been at any Time denied by his Majesty, whensoever you have desired the same, that he believes it hath been seldom, if ever, refused amongst the most avowed and professed Enemies, much less by Subjects to their King. But his Majesty is resolved that no Discouragements whatsoever shall make him fail on his Part, of doing his utmost Endeavours to put an End to these Calamities, which, if not in Time prevented, must prove the Ruin of this unhappy Nation; and therefore doth

Another Message from the King, Dec. 15, for Peace,

An. 27. Car. 1.
1645.

December.

doth once again desire, That a Safe-Conduēt may be forthwith sent for those Persons expressed in his former Message: And doth therefore conjure you, as you will answer to Almighty God in that Day when he shall make Inquisition for all the Blood that hath and may yet be spilt in this unnatural War, as you tender the Preservation and Establishment of the true Religion, by all the Bonds of Duty and Allegiance to your King, or Compassion to your bleeding and unhappy Country, and of Charity to yourselves, that you dispose your Hearts to a true Sense, and employ all your Faculties in a more serious Endeavour, together with his Majesty, to put a speedy End to these wasting Divisions; and then he shall not doubt but that God will yet again give the Blessing of Peace to this distracted Kingdom.

Given at our Court at Oxford the 15th of December, 1645.

Which is taken
into Consideration
by both
Houses.

The Lords ordered this *Message* to be communicated to the House of Commons, and to the Scots Commissioners, that an *Answer* might be speedily made to this and the last *Message* from the King. At the same Time they received a *Message* from the Commons, That they did adhere to the *Letter*, formerly passed both Houses, in Answer to the King's; and desired that the Members of both Houses, who were of the Committee for the two Kingdoms, should confer with the Scots Commissioners, and offer them the Reasons for adhering to this *Answer*, and learn from them any Reasons they should urge to the contrary.

Soon after the Commons sent up another *Message*, intimating, That upon reading the King's last *Letter*, this Day, they perceived it to be so much in Substance with the former, that to retard the sending of that *Answer* which the Houses have agreed to, will be much to the Disadvantage of the Parliament: That the Commons had resolved to take the *Propositions* for Peace into Consideration, *de Die in Diem*; and therefore de-

desired the Lords to expedite those which were already brought up, and they would dispatch the rest as soon as possible. All which the Lords agreed to.

An. 21. Car. I.
1645.
December.

Dec. 22. The Earl of Northumberland reported divers *Papers* from the Committee of both Kingdoms, being the Result of their Debates and Conferences with the Scots Commissioners concerning the *Answer* to the King's *Letter*. All these we shall give in the Order they stand in the *Lords Journals*.

REASONS presented by the Members of both Houses to the Scots Commissioners, why there should be no Treaty about any Propositions to be sent to the King.

December 17, 1645.

THAT we desire to proceed so as may best continue the Union between the two Kingdoms.

The Earl of Northumberland's Report of a Conference with the Scots Commissioners, concerning an Answer to be sent to the foregoing Messages from the King for Peace.

That the best way to unite, is to have all passed without Treaty; for that then the Propositions being all granted together, to the Satisfaction of both, there would not be any Advantage given to divide, by gratifying one Kingdom more than another, as would be the Case by a Treaty, where the Propositions are severally to be treated upon, as we found upon Experience of former Treaties, and likewise by the Letters that have been intercepted since the Treaty of Uxbridge; by which it appears, that other Things, prejudicial to the Parliament, were only intended, under Colour of a Treaty for Peace.

The Scots Commissioners FIRST ANSWER.

December 18, 1645.

WE have considered the Reasons presented by the Members of the Honourable Houses, why there should be no Treaty about

An. 21. Car. I.
1645.

December.

any *Propositions* to be sent unto the King's Majesty, and do return this *Answer* :

That we do not press a *Treaty* upon the *Propositions* debated at *Uxbridge*, or upon any other *Propositions* formerly agreed upon by the Parliaments of both Kingdoms ; but we are most willing, and earnestly desire, that those *Propositions* may be speedily sent for a positive *Answer*, without any *Treaty* ; only, if the Honourable Houses shall make any material Alterations of, or Addition unto, the former *Propositions*, they will, in their Wisdom, consider of us as of their own Commissioners in the like Exigence ; that since these are not in our Power, we cannot chuse but send them unto the Parliament of *Scotland*, as we have express'd in our former *Papers* ; so that, as we conceive, there needeth no Debate whether it be expedient (for preserving the happy Union of the two Kingdoms, which shall ever be among the chiefest of our Desires ; and upon the Experience of the bad Success of former *Treaties*, which hath been the Cause of many Miseries to all the three Kingdoms) that there be a *Treaty* at this Time ; but if it be not necessary to send the *Propositions* of *Peace*, already agreed upon, for a present *Answer*, without any *Treaty* : This we conceive to be most conducive, both by reason of the present Season, which is not to be neglected, and because of his Majesty's Desires, importunately renewed in his second *Letter* of the 15th Instant : Thus will it sooner appear what may be expected by both Kingdoms, which will be a Ground of a joint Resolution of settling of a firm *Peace*, or a vigorous Prosecution of the *War* : Whereas Consultation about new *Propositions*, which cannot be directed to his Majesty before they be first sent into *Scotland*, will certainly prove the Loss of the present Opportunity, and may be an Inlet to such Evils as
our

our Enemies, in their Craft and Malice are An. 27. Car. I.
projecting against us. 1645.

By Command of the Commissioners for the Par-
liament of Scotland.

December.

JOHN CHIESLEY.

[Though the Introduction and Conclusion of the following Paper make it, at first View, seem to be a Duplicate of the foregoing; yet the Dispute between the Parliament and the Scots Commissioners about the Variation of some Expressions, render it necessary to print both, as will appear in the Sequel.]

December 19, 1645.

WE have considered the Reasons presented by the Members of the Honourable Houses, why there should be no Treaty about any Propositions to be sent to the King's Majesty, and do return this Answer:

That we do not press a Treaty upon the Propositions debated at Uxbridge, or upon any other Propositions formerly agreed upon by the Parliaments of both Kingdoms; but are willing that it be expressed in the Answer to the King's Letter, That those Propositions are to be sent to his Majesty from both Kingdoms for a positive Answer, without any Treaty: But if the Honourable Houses should make any Alteration of, or Addition to, the former Propositions, we have no Power to declare that there shall be no Treaty upon them, or to consent that so much be expressed in the Answer to his Majesty.

We shall not need to make any other Reply to the Reasons delivered to us; only we conceive, that the sending of the Propositions, already agreed upon by the Parliaments of both Kingdoms, for a positive Answer, will be a Means of preserving the happy Union of the two Kingdoms, and of obtaining a more speedy Answer, than if new Propositions should be sent; and therefore we desire that the former Propositions may be resolved upon to be sent with convenient Speed, both by

An. 21. Car. 1.

1645.

December.

Reason of the present Season, which is not to be neglected, and because of his Majesty's Desires, so importunately renewed in his second *Letter* of the 15th of this Instant. Thus it will soon appear what may be expected by both Kingdoms, which may be a Ground of their joint Resolution for settling a firm *Peace*, or a vigorous Prosecution of the *War*: Whereas Consultations about new *Propositions*, which cannot be directed to his Majesty before they be first sent into *Scotland*, will prove certainly the Loss of the present Opportunity, and may be an Inlet to such Evils as our Enemies, in their Craft and Malice, are projecting against us.

By Command of the Commissioners for the Parliament of Scotland.

JOHN CHIESLEY.

The REPLY of the English Commissioners to the ANSWERS given in by those of Scotland.

December 19, 1645.

IN Pursuance of an Order of both Houses of Parliament of the 16th Instant; a Copy of which was delivered to your Lordships, we did communicate their Resolution to adhere to their *Answer* to the King's *Letter*; and by our *Paper* of the 17th Instant, have acquainted your Lordships with some Reasons why there should be no *Treaty* upon any *Propositions*, which, by the joint Advice of both Kingdoms, shall be sent to his Majesty; which Reasons we thought fit to tender to your Lordships as Heads to confer upon, and as the most material Thing in Difference between the Houses and your Lordships, whereby the sending of that *Letter*, which both Houses had resolved to be sent to the King, hath been hitherto retarded: And having seen your Lordships' *Paper* Yesterday, and heard the Debate thereupon had, in Discharge of the Commands of both Houses, we do further offer unto your Lordships as follows:

We

‘ We do observe that what is given in *Answer*
‘ in your *Paper*, why there should be no *Trea-*
‘ ty upon any *Propositions*, doth shew that the
‘ *Propositions*, which were sent to be treated upon
‘ at *Uxbridge*, should, for the Reasons therein con-
‘ tained, be now again sent without any material
‘ Alteration or Addition; whereas the Business in
‘ Debate, of the *Letter* whereto your Concurrence
‘ was desired, is only on the Manner how any
‘ *Propositions*, either those formerly sent to *Ux-*
‘ *bridge*, or any other that are first to be agreed
‘ upon by both Kingdoms, are to be sent unto his
‘ Majesty and insisted upon, without any *Treaty*,
‘ for obtaining a safe and well-grounded *Peace*.
‘ To this we find no *Answer* given in that *Paper*;
‘ but your Lordships do alledge, *That you cannot*
‘ *send any new Propositions, nor those formerly sent,*
‘ *with any material Alterations or Additions;* in
‘ neither of which the Houses have pressed your
‘ Lordships: And having already made it appear
‘ to your Lordships, that the sending *Propositions*,
‘ without *Treaty*, will be a better Means to conti-
‘ nue the Union and good Understanding between
‘ both Kingdoms, and of preventing Inconvenien-
‘ ces, as by our said *Paper* appears; and consi-
‘ dering also, that your Lordships have thought fit
‘ that the *Propositions* formerly sent to *Uxbridge*,
‘ should now again be sent for a positive *Answer*
‘ to be given unto them, without any *Treaty*; we
‘ conceive that, if any further *Propositions* shall
‘ be thought fit to be sent, or any material Alte-
‘ rations or Additions made in these, when they
‘ shall also be agreed on by both Kingdoms,
‘ they should, for the same Reason, be sent for a
‘ positive *Answer*, without *Treaty*.

‘ And in regard your Lordships cannot but
‘ clearly apprehend, by the Debate thereupon had,
‘ the great Inconveniences that would follow, if
‘ the Houses should now depart from that Reso-
‘ lution, which they have so long since taken; and
‘ which, by the intercepted *Letters* communicated
‘ to your Lordships, they see greater Cause to ad-

An. 21. Car. I.

1645.

December.

here to, and which cannot but be interpreted as
 a Willingness to enter again into *Treaty* with his
 Majesty, which hath been found to be so de-
 structive; your Lordships might be satisfied that
 the Houses have Reason to believe that you
 would concur in this of so great Consequence
 to the Good of both Kingdoms; and the rather,
 for your Lordships frequent Desire of the speedy
 sending *Propositions*, which your Lordships know
 have been so long in Debate in both Houses of
 Parliament.

And whereas your Lordships did the last Night
 desire to give another *Paper*, of the same Sense
 with the former, we have this Morning received
 a *Paper* from your Lordships, wherein you do
 express, *That you have no Power to declare that*
there shall be no Treaty upon any other Proposi-
tions than those formerly sent to Uxbridge, nor
upon them with any Alteration or Addition; or to
consent that so much be expressed in the Answer to
his Majesty.

To this, which we never knew before this
 Morning, we can give no further *Answer* till we
 have acquainted the Houses therewith; but con-
 sidering the great Inconveniency your Lordships
 do alledge will ensue, by Delay of sending *Pro-*
positions and a present *Answer* to his Majesty;
 and for that the Inconveniencies are made so
 manifest to your Lordships, of sending in any
 other Way than we have formerly expressed;
 and for that the Reasons to send any *Propositions*,
 without a *Treaty*, are the same for any other *Pro-*
positions as for those sent to Uxbridge; and for
 that your Lordships were, above five Months
 since, made acquainted with the *Resolutions* of
 both Houses to send *Propositions* without a *Trea-*
ty; and also for that your Lordships did, upon
 the first *Resolution* of the Houses to send this
 Letter, desire to confer with us concerning the
 same, and did not declare any Want of Power;
 we therefore desire your Lordships to take into
 your further Consideration, how this Letter, of
 so

‘ so great Importance, resolved upon by both Houses, may speedily, with your Consent, go to his Majesty. An. 21. Car. I.
1645.

December.

‘ And as to the Alteration which your Lordships desire, viz. to have these Words, *And should have accounted it a great Happiness if your Majesty’s Actions had been answerable*, to run thus, *And shall account it a great Happiness that your Majesty’s Actions be answerable*, we desire it may continue as the Houses have resolved, to the end it may look as well to the Time pass’d as that to come.’

*The REJOINDER of the Scots Commissioners to the
REPLY from those of England.*

Dec. 20. 1645.

‘ UPON the Tenth of this Instant your Lordships did communicate unto us the King’s Letter of the Fifth, together with the Answer of both Houses, wherein we found ourselves included, as consenting to that which had not been so much as offered to our Consideration; whereas, on all former Occasions, upon Matters of the like Nature, it hath been the constant Practice of the Houses to crave our Advice, and, on mutual Conference and Debate, to agree in one joint Resolution; and your Lordships know the Matters contained in the Answer to be of great Importance themselves, and of near Concernment to the Kingdom of Scotland; yet at this Time, upon what Considerations we know not, the Honourable Houses have resolved upon an Answer without acquainting us, and have voted us Consenters to those Things wherein we have no Power to agree; and after we had, in our Paper of the 12th of this Instant, declared our Dissent in some Particulars, have resolved to adhere to their Answer, which affirms us to have given our Consent to those Particulars; and therefore that the sending an Answer to the King’s Letter is retarded, doth appear to proceed from the first Step and Entrance into the Business, when

An. 21. Car. 1.
1645.

December.

when that *Answer* was resolved upon without our Advice; and not from us, as your Lordships *Paper* seems to insinuate, who presented our Thoughts thereupon to your Lordships upon the 12th of this Instant; to which we had no Return till the 17th, when your Lordships tender'd to us some *Reasons*, whereunto we made *Answer* upon the 18th; and having received your Lordships *Reply* of the 19th, Yesterday in the Afternoon, we do this Morning return our *Answer*.

We desire it may be seriously considered how prejudicial it would prove to the Interest of the Kingdom of *Scotland*, That the Houses of Parliament should resolve upon Matters of this Nature and Consequence, without acquainting the Parliament of *Scotland*, or their Commissioners; and when such Resolutions are taken, to make it an Argument for the Kingdom of *Scotland* to give their Consent, *because the Houses are engaged, and cannot without Inconveniency depart from their Resolutions*; as was Yesterday debated at the Conference, and is again intimated unto us in your Lordships *Paper*.

Ours of the 18th did contain not only an *Answer* to your Lordships *Reasons* why their should be no *Treaty* upon any *Propositions* to be sent to the King, but also propound to your Lordships what we conceived to be the State of the Question, Whether it were not necessary to send the *Propositions* of *Peace*, agreed upon by the Parliaments of both Kingdoms, for a positive *Answer*, without any *Treaty*; and as we have constantly pressed this ever since the 20th of *June* last, so, upon this Occasion, we thought it very seasonable for us to move, That it might be expressed, in the *Answer* to the King's *Letters*, to be the Resolutions of both Kingdoms to send these *Propositions* for a positive *Answer*, without any *Treaty*.

As to the State of the Question, as it was popounded by your Lordships, we gave that which we conceived to be a real *Answer*; which
was,

‘ was, *That we had not Power to send any Propo-* An. 21. Car. I.
‘ *sitions, materially different from those agreed up-* 1645.
‘ *on between the Kingdoms, without acquainting the*
‘ *Parliament of Scotland and receiving their Di-*
‘ *rections therein; and, in Reason, it cannot be*
‘ expected it should be in the Power of any Com-
‘ missioners of Parliament, (as the Houses of Par-
‘ liament may judge, whether they would be wil-
‘ ling to grant Power to their own Commissioners,
‘ in the like Exigence) to determine absolutely
‘ that there should be no *Treaty* upon any *Propo-*
‘ *sitions* to be sent to the King; and to limit those
‘ that intrusted them in Things of so great Conse-
‘ quence, concerning the Manner, before they
‘ were acquainted and had agreed upon the Matter
‘ of the *Propositions*, which, in its own Nature,
‘ ought to precede: And further, we freely and
‘ clearly told your Lordships at the Conference,
‘ *That we had no Power to declare that there*
‘ *should be no Treaty upon any Propositions mate-*
‘ *rially different from those agreed upon between the*
‘ *Kingdoms, or to consent that there should be any*
‘ *such Expression in the Answer to the King’s Letter;*
‘ and therefore we understand not upon what
‘ Ground your Lordships could say, in your *Paper*
‘ of the 19th, *That you never knew before that*
‘ *Morning*, unless it be meant that it was not,
‘ in *Terminis*, expressed in Writing; and your
‘ Lordships may remember this was the Reason
‘ why we desired to amend some Expressions in
‘ our *Paper*, which your Lordships conceived to
‘ be more clearly delivered at our Conference:
‘ And when your Lordships had, upon the 18th at
‘ Night, returned to us the Original *Paper* deli-
‘ vered in by us that Afternoon, we did not ex-
‘ pect that your Lordships, in yours of the 19th,
‘ would have made Answer to that *Paper*; but
‘ only to our other *Paper*, wherein we expressed
‘ ourselves more fully to your Lordships Satisfac-
‘ tion: And if your Lordships will be pleased to
‘ look again upon our *Papers*, there will be no-
‘ thing found in them which may give any Ground

December.

An. 27. Car. I.

1645.

December,

‘ to apprehend that your Lordships have made it appear to us, that the sending *Propositions*, without a *Treaty*, will be a better Means to continue the Union and good Understanding between the Kingdoms, and preventing Inconveniences; but, on the other Part, that we have no Warrant or Direction from the Parliament of *Scotland*.

‘ The Difference, to us, seems to be very great betwixt the consenting to send *Propositions*, already agreed upon, for a positive *Answer*, without any *Treaty*, and the consenting to send *Propositions*, that are to be agreed upon, without any *Treaty*, for the Reasons formerly expressed; for that *Propositions* may much differ in their Nature, and for that the main and most material *Propositions*, of these formerly agreed upon, have been already fully debated and treated upon at *Uxbridge*, to which we conceive little or nothing could be added in debate upon a new *Treaty*.

‘ And whereas your Lordships say, *That upon the first Resolution of the Houses to send their Answer, we desired a Conference about the same, and did not declare any Want of Power*, your Lordships may be pleased to consider, we delivered in two *Papers*; in the one we made answer to the Matter contained in the *Answer* of the Houses to the King’s *Letter*; in the other we did take *Exceptions* to the Manner: That with the King’s *Letter*, at the same Time, there was delivered unto us an *Answer* of both Houses, wherein we were named as Consenters to some Particulars to which we could not agree; and upon this we desired to confer with your Lordships, that we might the more fully express our Sense thereof, by Conference than we were willing to do in Writing; and in the same *Paper* we told your Lordships, *That it could not have been expected from us that we should have agreed to these Particulars, if we had been consulted therein as formerly upon the like Occasions*: And when we were desirous to have fully expressed ourselves at that Conference, it was answered
‘ by

Of ENGLAND. 171

by your Lordships, *That you had no Power from* An. 21. Car. 1.
the Houses to confer with us; so that we had not 1645.
the Opportunity, at that Time, to declare our
Want of Power. December.

These Reasons and Grounds, we trust, shall
give Satisfaction concerning our Proceedings hi-
therto in this Business; and in Answer to your
Lordships Desire, *That we would take into our*
Consideration how an Answer may be speedily sent
unto his Majesty, we make this Overture, *That*
the Honourable Houses would be pleased to grant
Power to your Lordships, upon Conference with
us, to agree upon a Draught of an *Answer* to
be offered to their Consideration, that it may
not be further retarded.

*By Command of the Commissioners for the Par-
liament of Scotland.*

JOHN CHIESLEY.

*The ANSWER of the English Commissioners to the
foregoing PAPER given in by those of Scotland.*

Dec. 20. 1645.

IN answer to your Lordships Paper this Day
delivered, we do observe, That as to our
Reasons why there should be no *Treaty* upon
any *Propositions* to be sent to his Majesty, by
Advice and Consent of both Kingdoms, and to
the Desires of both Houses that it may be so
expressed in their *Letter* to be sent to the King,
your Lordships acknowledge, *That you have*
purposely avoided that Debate, being a Matter
wherein you have no Directions or Warrant from
the Parliament of Scotland; unto which, there-
fore, we shall not further reply.

But finding, upon the Perusal of the said
Paper, several Misapprehensions of the Proceed-
ings of the Houses, and of what we offered to
your Lordships in our last Paper, we are neces-
sitated to make this further *Reply* for the clearing
thereof.

Your

172 *The Parliamentary* HISTORY

An. 21. Car. I.

1645.

December.

‘ Your Lordships conceive yourselves included by the *Resolutions* of both Houses, and voted as Consenters to those Things not offered to your Consideration; whereas the *Votes* of the Houses were but in order to your Lordships Concurrence, which was the usual Practice of both Houses to the King, and of each House to the other, without any such Interpretation.

‘ And whereas your Lordships desire us seriously to consider *how prejudicial it would prove to the Interest of the Kingdom of Scotland, that the Houses of Parliament should resolve upon Matters of this Nature and Consequence, without acquainting the Parliament of Scotland or their Commissioners*, We desire it might be rightly understood by your Lordships, that, altho’ the Houses have some Times conferred with your Lordships before their *Resolutions*, yet they always had, and have, the Liberty, in Business of this Nature, to make their *Resolutions* within themselves, in order to your Lordships Concurrence, before the same was imparted to your Lordships; and since your Lordships conceive this so much to concern the Kingdom of Scotland, the Houses have the more Reason, by their Practice, to assert this their unquestionable Right.

‘ And as to your Lordships Allegation, *That the Resolutions being taken already by us are urged as an Argument for the Kingdom of Scotland to give their Consent, because the Houses are engaged, and cannot, without Inconvenience, depart from their Resolutions*; the Reasons in our Paper and Debate were pressed rather from the Nature and Necessity of the Thing resolved, than from the *Resolutions* themselves.

‘ And we do not conceive why your Lordships do state the Question upon the Matter of *Propositions*, whereof there is no Mention in the *Letter*, and not on the Manner of sending them, which is the Thing in Debate; nor why your Lordships do alledge several Reasons of so great Difference betwixt sending the former *Propositions*

‘tions for a positive *Answer*, without *Treaty*, and An. 21. Car. I. 1645.
 ‘not any other; when as no *Propositions* are de-
 ‘fired to be sent from both Kingdoms, but such
 ‘only as, by the joint Advice and Consent of both
 ‘Kingdoms, shall be agreed upon: And whereas
 ‘your Lordships do exprefs, *That, upon the Con-*
 ‘*ference the 18th Instant, you did declare your not*
 ‘*having Power to consent to have it expressed in the*
 ‘*Letter, that there should be no Treaty, or any*
 ‘*Propositions materially different from these agreed*
 ‘*upon by both Kingdoms,* yet we had no Reason to
 ‘take Notice thereof till it was expressed in your
 ‘*Paper* the next Morning, yourselves differing in
 ‘Opinion at that Conference concerning your
 ‘Power; and although, at your Desire, we did
 ‘give in that original *Paper* mentioned by your
 ‘Lordships, you may please to remember we took
 ‘a Copy thereof, and agreed to give an *Answer*
 ‘thereto; and did acquaint your Lordships with
 ‘our Resolutions to meet the next Morning for
 ‘that Purpose, which we did accordingly, and had
 ‘prepared the greatest Part thereof, before we re-
 ‘ceived your second *Paper*. And, the next Morn-
 ‘ing, the same we thought fit to give as our *An-*
 ‘*swer to both Papers.*

‘And your Lordships not having an Opportu-
 ‘nity to declare your Want of Power, at that Time
 ‘mentioned in your *Paper*, to concur with that
 ‘Expression in the *Letter*, for sending of *Propo-*
 ‘*sitions* without any *Treaty*, your Lordships know
 ‘you might then have declared the same in Wri-
 ‘ting; we having always received and reported
 ‘your *Papers* to the Houses; and the Houses have
 ‘before desired your Concurrence therein; and the
 ‘*Resolutions* of both Houses, to have no *Treaty*,
 ‘were communicated to your Lordships about five
 ‘Months since.

‘And whereas your Lordships, in the Conclu-
 ‘sion of your *Paper*, do desire *The Houses would*
 ‘*give us Power, upon Conference with your Lord-*
 ‘*ships, to agree upon a Draught of an Answer to*
 ‘*offer to their Considerations that it may not be fur-*
 ‘*ther*

174. *The Parliamentary* HISTORY

An. 21. Car. I.
1645.

December.

ther retarded, your Lordships having declared your
Want of Power to consent to the Desires of the
the Houses in the Thing in Question, we cannot
conceive how the same can expedite the sending
of an *Answer* to his Majesty's *Letter*, which is so
earnestly desired by both Houses.

And that your Lordships may be fully satisfied,
that nothing is now done or desired by the Houses,
but what, in Cases of like Exigence, your Lord-
ships have formerly consented unto; we shall put
your Lordships in mind, that both Houses, with-
out appointing any preparatory Debates between
them and your Lordships, did *resolve* to limit the
Continuance of the Militia to a certain Time;
though, by both Kingdoms, it was desired to be
left indefinite, and was so presented to his Maje-
sty; and herein, though your Lordships did declare
that your Instructions did not warrant you to give
Consent to so material an Alteration, without
first acquainting the Parliament of *Scotland*, yet,
that the *Treaty* might not thereby be retarded,
your Lordships did join with the *English* Com-
missioners to consent to a Time limited for the
Militia; your Lordships only put in a *Paper* for
your own Exoneration, expressing therein the
Confidence you had that the Parliament of *Scot-*
land would consent thereunto, when they should
be acquainted therewith.

GUALTER FROST.

*The REPLY of the Scots Commissioners to the fore-
going ANSWER from those of England.*

Dec. 22, 1645.

ACCORDING to that which is expres-
sed in the Close of our last *Paper*, *Decem-*
ber 20, we wish there had been a mutual Confe-
rence between your Lordships and us for agree-
ing upon such a Draught of an *Answer* to his Ma-
jesty's *Letter*, in all the Parts thereof, as might
have given Satisfaction to the Parliaments of both
Kingdoms, and not have any way retarded so
great

‘ great and urgent a Business; but having receiv’d An. 21. Car. I.
 ‘ your Lordships *Reply* to that *Paper*, we have 1645.
 ‘ again represented our Sense of the whole Matter,
 ‘ and thereby endeavour to cure, or prevent, all
 ‘ Misapprehension on either Part. December.

‘ Your Lordships do observe, *That we have ac-*
 ‘ *knowledgeed that we have no Direction or Warrant,*
 ‘ *from the Parliament of Scotland, to agree to the*
 ‘ *sending of any new Propositions to the King with-*
 ‘ *out a Treaty;* but your Lordships take no Notice
 ‘ of what, withall, we did annex for your Lord-
 ‘ ships full Satisfaction, *That, in reason, it could*
 ‘ *not be expected from us, or, as we conceive, from*
 ‘ *Commissioners of any Parliament, to predetermine*
 ‘ *and limit those that trust them, so far as that there*
 ‘ *shall be no Treaty upon such Propositions as are*
 ‘ *altogether unknown unto them, which is more*
 ‘ *fully expressed in our former Paper;* and we be-
 ‘ lieve your Lordships will acquiesce in this, as
 ‘ grounded upon Reason and the Rule of common
 ‘ Equity, wherein both Parliaments are equally
 ‘ concerned.

‘ Whereas your Lordships do answer, *That the*
 ‘ *Votes of the Houses, including our Consent to that*
 ‘ *which we knew not what it was, and had no*
 ‘ *Power to agree unto, was but in order to our Con-*
 ‘ *currence;* we desire your Lordships first to re-
 ‘ member, that it was not so from the Beginning;
 ‘ and we know no Reason why now more than for-
 ‘ merly. Your Lordships know the Commissioners
 ‘ of the Honourable Houses, when they were, in
 ‘ Scotland, and the Commissioners from the Par-
 ‘ liament of Scotland here in this Kingdom, in the
 ‘ Matter of the Covenant; of the *Treaties* between
 ‘ the Kingdoms, the *Propositions of Peace*, and
 ‘ all the Interchange of *Messages and Answers* to
 ‘ the King before the *Treaty at Uxbridge*, did first
 ‘ mutually debate Matters; and then, with com-
 ‘ mon Consent, resolve what was fittest, without
 ‘ any Argument from Pre-engagement on either
 ‘ Side; which we apprehend still to be the best
 ‘ and most effectual Way of preserving the Union
 ‘ of,

An. 27. Car.
1645.

December.

of, and keeping a good Correspondency between, the Kingdoms. Next we desire your Lordships to consider, that, after we had professed our Dissent, the Houses of Parliament *resolved* to adhere unto their *Answer*; which doth make it evident that the *Vote* could not be in order to our Assent: And whereas your Lordships argue from the usual Practice of the Houses to the King, and of each House to the other, we do not inquire into the Laws and Customs of this Kingdom; nor do we know, whether the Honourable Houses do use any such Argument one to another, That they are engaged before in their *Resolution*, and must adhere unto it; but this we know, That Kingdoms have their own Constitutions and Practices, which ought not to be extended beyond their own Limits; and that Treaties and Capitulations between all Kingdoms, which are not subordinate one to another, must proceed from such general Laws and Customs as may stand with the Liberty of both: We are very far from denying any just and unquestionable Right of the Honourable Houses of Parliament; we know the Obligation which tieth both Kingdoms in this Kind; but we may be bold to say, That as the Honourable Houses of Parliament would not be willing that they, or their Commissioners, should be included in any *Vote* of the Parliament of *Scotland*, in Matters not before agreed upon, especially after their Dissent; so will they never conceive it to be their unquestionable Right to include the Commissioners of the Parliament of *Scotland* in their *Vote*, and to adhere unto it, after they had declared their Dissent.

We acknowledge your Lordships did frame the State of the Question, concerning the Manner of sending *Propositions* to his Majesty, and not concerning the *Propositions* to be sent; yet we hope your Lordships will acknowledge, in like Manner, that we were not hereby so far limited, but that we had Liberty left us to state our necessary Question also to be a Matter of De-

‘ Debate, since the Manner of sending did much
‘ depend upon the Matter of the *Propositions* to be
‘ sent; and if the *Answer* was drawn and voted, in
‘ order to our Consent, there was Place left
‘ unto us to offer what we conceiv’d fit to be in-
‘ serted in the *Answer*; and, upon the Reasons in
‘ our former *Paper*, manifesting the wide Difference
‘ betwixt the *Propositions* agreed upon, and other
‘ new *Propositions*, the *Resolutions* about *Treaty*
‘ or no *Treaty* do so much depend, that it seems
‘ to us to be preposterous to condescend upon the
‘ Manner, till the Matter be first agreed upon.

‘ Your Lordships say, *That you had no Reason*
‘ *to take Notice that, upon the Conference the 18th*
‘ *Instant, we did declare our not having Power to*
‘ *consent to have it expressed in the Answer, that*
‘ *there should be no Treaty on any Propositions ma-*
‘ *terially different from those agreed upon by both*
‘ *Kingdoms; ourselves differing in Opinion, at that*
‘ *Conference, concerning our Power: But your Lord-*
‘ *ships do well remember that no Word passed*
‘ *from any of us, that did so much as imply that we*
‘ *had Power to send any new Propositions to the*
‘ *King without a Treaty; but that which directly*
‘ *tended to the contrary; and that immediately*
‘ *after we had conferred together, we did unani-*
‘ *mously declare our Mind to your Lordships,*
‘ *without the least Shadow of Difference; so that*
‘ *your Lordships might, that Night, have rested*
‘ *satisfied, that we had no Power to consent to*
‘ *have it expressed in the Answer to the King’s Let-*
‘ *ter, That there should be no Treaty on any new*
‘ *Propositions.*

‘ As to what your Lordships say, *You did agree*
‘ *to give an Answer to our first Paper, of the 18th,*
‘ *and did acquaint us with your Resolutions to meet*
‘ *the next Morning for that Purpose: Your*
‘ *Lordships, after that you had delivered us that*
‘ *Answer, were pleased, upon our Desire to express*
‘ *our Mind more fully in another Paper, to return*
‘ *to us the original Paper first offered, as if it had*
‘ *never been given in by us, or to have been taken*

An. 21. Car. I. into Consideration in your Lordships Answer;
1645.

December.

and therefore we had Reason to expect no Answer should have been returned to that Paper, but to the other, which, with all Diligence, we delivered the next Morning.

And whereas your Lordships say, That if we had not Opportunity to declare, at the Conference, concerning our Want of Power, we might have declared the same in Writing; the Houses having before desired our Concurrence in the Answer to the King's Letter, and the Resolutions of both Houses to have no Treaty, being communicated to us about five Months since; and further say, That we having declared our Want of Power to consent to the Desires of the Houses in the Thing in Question, your Lordships cannot conceive how a Conference with us, to agree upon a Draught of an Answer to offer to the Consideration of the Houses, can expedite the sending of an Answer to his Majesty's Letter: We desire it may be remembered, that as the Resolution of the Houses to have no Treaty was communicated to us five Months sithence, so did we return the same Answer unto your Lordships at that Time which we do now; which was also really contained in our two Papers delivered in upon the 18th and 19th Instant, when we desired a Conference of your Lordships, for which you did declare you had no Power; and for which, if your Lordships had yet Power, we conceive, upon former Experience of overcoming greater Difficulties, such an Answer to his Majesty's Letter might be agreed upon as might satisfy both Parliaments, and so the sending of an Answer might have been expedited; unless your Lordships think that the Answer drawn by the Houses, without our Knowledge or Consent, can suffer no Alteration; which we believe is not your Lordships Opinion, since it was resolved upon by the Houses, as your Lordships say, with a Reference to our Consent.

Whereas your Lordships say, That we may be fully satisfied, that nothing is now done or desired by

by the Houses, but what, in Cases of the like Exigence, we have formerly consented unto; and do put us in Mind, that the Houses of Parliament, without appointing any preparatory Debates between them and us, did resolve to limit the Continuance of the Militia, contrary to that which was agreed upon by both Kingdoms; your Lordships may be pleased to remember, that, (besides that the Commissioners of Scotland were then at Uxbridge, and not at London or Westminster) in the mutual Debates of the Commissioners of both Kingdoms it was conceived to be reasonable, that the Consenting to a Limitation of Time, so earnestly pressed by the King, if it could be obtained, would be a Manifestation of their Desires of Peace; and thereafter the Committees of both Houses, having met apart, thought fit to write to the Houses for their Resolution, but first of all to acquaint the Commissioners of Scotland therewith, which was done accordingly: This we take for a preparatory Debate. And whereas your Lordships say, *That the Commissioners of Scotland did join with the Committee of both Houses, altho' they had no Warrant from their Instructions so to do; only putting in a Paper for their Exoneration, expressing their Confidence that the Parliament of Scotland would consent thereunto; and that therefore we may do the like at this Time, in the like Exigence;* we desire your Lordships, for your Satisfaction, to consider that the one Case is much different from the other; for altho' the Commissioners of Scotland had no particular Instructions for limiting the Time of the Militia, yet they had good Grounds to make them confident that the Parliament of Scotland would be of the same Mind, as is intimated in their Paper mentioned by your Lordships: But concerning the Matter now in Debate, we have acquainted the Estates of Scotland with the Votes of both Houses of the 11th of August, and with our Answer of the 14th; and at divers Times, with such Earnestness as be-

An. 21. Car. I.

1645.

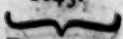
December.

An. 21. Car. I.
1645.

December.

seemed us, desired their speedy Resolutions and particular Directions, but they have not judged it convenient to grant us any further Power; expecting, no doubt, that the Houses of Parliament would either resolve to send to the King the *Propositions* formerly agreed upon; or, if they did intend any material Alterations of, or Additions unto, the former *Propositions*, they would have acquainted them therewith before this Time; it being now about five Months sithence the Houses of Parliament did resolve to send *Propositions* of *Peace* to his Majesty; and if these Alterations or Additions had been sent in Time to the Kingdom of *Scotland*, we might, by this Time, have been furnished with their Instructions; and known their Will, both concerning the Matter of those *Propositions*, and the Manner of sending them, that we might have given perfect Satisfaction to the Honourable Houses for expediting that which is so much desired by us all:

We do therefore renew our Desire, concerning our Overture in the End of our last *Paper*, That the Honourable Houses may grant Power to your Lordships, upon mutual Conference, to agree upon a Draught of an *Answer* to his Majesty's *Letter*, to be offered to their Consideration, whereby this tedious Debate may be put to an End; and because the Alterations and Additions, so often mentioned, after five Months, are not yet resolved upon, and a long Time must be spent before they be agreed upon by both Kingdoms; we move again, That the *Propositions*, already prepared by Consent of both Kingdoms, may be sent for his Majesty's positive *Answer*; because more may be lost, by losing the present Season and Opportunity, than can be gained by new *Propositions*. If his Majesty's Intentions, when he is now brought lower than at any Time before, be really for *Peace*, and answerable to his Profession, the not Harkening to his Desires may force him to such desperate Courses, and to make such unnatural Offers to foreign Princes and

and States, as may be the Beginning of a new An. 21. Car. I.
 Kind of War, and the Cause of the Continuance 1645.
 and Increase of the sad Condition of these three 
 Kingdoms; and if the King's importunate Soli-
 citations, by his *Letter* for Accommodation,
 and the Prince's offering his Mediation, to men-
 tion no more, be but Pretences; yet they are so
 plausible in the Eyes of the World, (unless they
 be discovered by trying the Truth, in sending of
Propositions, and taking some speedy Course for
Peace) that they may be a Cause of multiplying
 Enemies against us, and of much Misery to these
 Kingdoms. Whatsoever be the Event, which is
 in the Hand of God, it is our Duty, and will be
 our Comfort, that we embrace all Occasions of
 Pacification.

December.

By Command of the Commissioners for the Par-
 liament of Scotland.

JOHN CHIESLEY.

This long Report being over, the Lords ordered
 that the several *Papers*, therein contained, should
 be taken into Consideration the next Morning.

Dec. 23. A Message was brought up from the
 House of Commons, by Sir *Robert Harley* and
 others, to communicate to their Lordships divers
Letters, importing the good Success of some of the
 Parliament's Forces in the taking of the City of
Hereford; which were read as follow:

For the Right Honourable the COMMITTEE of
 LORDS and COMMONS for the Safety of both
 Kingdoms,

May it please your Lordships,

According unto your Commands, I drew forth near Letters concern-
 900 Foot and my Troop of Horse, and upon ing the taking of
Advice from the Governor of Gloucester, I marched Hereford.
 unto him; but finding the Way which was intended
 altogether frustrated, and the Governor of Glouce-
 ster not very well, I went with Sir John Bridges

An. 21. Car. 1.

1645.

December.

near to Hereford; and sent thither for the two Gentlemen whom Sir John had before treated withal about the Business, of whom I satisfied myself of the Enemy's Security and the Negligence of their Guards: This caused me to think of some other Way, and, amongst others, this was most prevalent with me, which, by God's Blessing, took Effect. The Way was this; to march in one Day and Night from Gloucester to Hereford; which done, I had provided six Men, in Form of Labourers, and one with them to be a Constable, with a Warrant to bring these Men to work in the Town; to them I gave a good Sum of Money in Hand, and promised them a large Reward. These Men I intended to lodge, in the Dark of the Night, near the Gate, with 150 Firelocks so near them as the Ground would admit out of Sight. I intended to draw a Body to second them and enter with them, and so to surprize the Town upon the letting down the Bridge in the Morning. Then I went back to Gloucester to inform Colonel Morgan of this, desiring him to join with me to put it to Trial; which he condescended unto, and we marched to that Purpose all Monday Night, but fell short; therefore, to delude the Enemy, retreated back again within nine Miles of Gloucester.

The next Day at Night we returned again, and, with careful Spies and Scouts, kept back Intelligence from them, so that they never discovered us; but I laid my Countrymen and Firelocks within three Quarters of a Musket Shot, at a Place which I had inquired out for the Purpose; which Party I left to be managed by my Lieutenant-Colonel, who behaved himself very gallantly; and the main Body of Foot I led myself, Col. Morgan being with the Body of Horse which he undertook; and this Morning, upon the letting down of the Bridge, the Countrymen went with their Pick-Axes and Spades to the Bridge; the Guards beginning to examine them, they kill'd three of the Guards, and kept the rest in play untill the Firelocks came up to them, who made it good untill the Body came up; and it pleased God the Design
so

so took, that we entered the Town with small Loss; An. 21. Car. I.
in which we took eleven Pieces of Ordnance, much 1645.
Arms, and several Prisoners of Distinction; but
there are many others in Town, which I believe one
Day more will discover. December.

The Mercy is wonderful; I desire the Lord may
have the Honour of it, for it is his own Work. I
am deeply engaged by Monies laid out in this Busi-
ness, and by Promise with Colonel Morgan; therefore
I humbly desire your Honours to give Order for the
Payment of the same. As for myself, I shall en-
deavour to settle this Place, and wait your further
Orders for the Subsistence of my Regiment, which
is in great Necessity, or what other Commands you
shall be pleased to signify unto your Honours

Most faithful Servant,

Hereford, Dec. 18,
1645.

JOHN BIRCH.

I have herewith sent my Servant to wait upon
your Honours, by whom I intreat to receive your
Commands.

For the Right Honourable the COMMITTEE of
LORDS and COMMONS for the Safety of both
Kingdoms,

May it please your Lordships,

According to your Commands I marched with a
Party, as in a former Letter, signified by Co-
lonel Morgan and myself, we made bold to inform
you: Since which Time it hath pleased God to shew
his Power in our Weakness, by giving us this City,
into which we forced our Entry this Morning, as by
the Letter signed by Colonel Morgan and myself more
particularly appears. The Resolution of the Soldiers
carried them on beyond Imagination. I shall endea-
vour to set Things in Order here, according to that
Command your Lordships have been pleased to give
me. The Place is very evil affected; I have here

An. 21, Car. 1.
1645.

December.

900 Foot, but they will be too small a Number. I intend to add to them, if your Honours please, and make them up 1200, which will be few enough for this ill-affected Place. When I marched hither, I left two Companies at Bath, which being it is to be slighted, I shall humbly desire an Order for the drawing of those two Companies to this Place, which would be a good Addition. I should have waited upon your Honours myself, but I dare not be absent, though my Extremities be great for Necessaries for my poor Soldiers. I shall humbly intreat you to signify your further Commands in that or any other Thing, which shall be carefully observed by

Your Honours real Servant,

Hereford, Dec. 18,
1645.

JOHN BIRCH.

For the Right Honourable the COMMITTEE of
both Kingdoms,

Haste, Haste, Post Haste.

May it please your Lordships,

WE gave you an Account in our last, that we found the City of Hereford, by our Intelligence, to be so strong both in itself and the Resolution of its Defenders, that much Hazard would be in the gaining of it. Notwithstanding, having a Party of about 2000 Horse and Foot betwixt us, viz. of Gloucester Forces 1050, and of Bath Forces 950, we resolved to make a Trial of falling upon the Place; unto which Endeavour the Lord was pleased so to add his Blessing, that Yesterday Morning, about Break of Day, we forced our Entrance; God putting such a Spirit into the Soldiers as was beyond Expression. Our Engagements to them were very large, the Design being very desperate; and also to some other Gentlemen, who were very helpful and behaved themselves very gallantly in the falling on; which Engagements that we may be able to discharge, we humbly desire your Lordships to give Order for that Sum
which

which you were pleased to promise for that Service. An. 21. Car. I.
 After we had marched one Night in the Snow up
 to the Mid-Leg, almost twenty Miles in and out,
 that the Enemy might not be jealous of us we march'd
 the same March upon Monday Night, though with
 such Hardship that three of our Men died in the
 Snow; and we retreated, upon Tuesday, almost to
 Gloucester. They then believing we had been clear
 gone, were more secure, and we fell on unexpected.
 Our Loss was not considerable, God be bless'd, whose
 Goodness was here plainly seen. To him be the Glory.
 The Enemy fought it out in the Streets, where divers
 were slain, and the rest taken Prisoners. We are
 not able, at present, to particularize them, only those,
 whose Names we can at this Instant be informed of,
 we have here inserted. The Townsmen have suf-
 fered by the Soldiers, by reason we entered it by
 Force, and that the Enemy shot out at the Windows
 and in the Streets; at which the Soldiers were so
 enraged, that we could not prevent them from plun-
 dering, which we endeavoured much to have done.
 We shall be always ready to approve ourselves

1645.
 December.

Your Honours

Most faithful Servants,

Hereford, Dec. 19,
 1645.

THO^r. MORGAN.
 JOHN BIRCH.

P. S. The following is a List of the PRISONERS
 taken :

Lord Brudenell, the Bishop of Hereford; Sir
 Thomas Lunsford, Sir Walter Blunt, Sir Henry
 Spiller, Sir Henry Bedingfield, Sir Marmaduke
 Lloyd, Sir George Vaughan, Sir Giles Mom-
 pesson, Sir George Stepney, Sir Francis Howard,
 Sir Francis Lloyd, Sir Richard Basset, Sir Philip
 Jones, Sir Edward Morgan, Sir Nicholas Throck-
 morton; Judge Jenkins; Lieutenant-Colonels Price,
 Lewis, Jeffreys, and Jones; Commissary Langwith;
 Major

An. 21. Car. 1.
1645.

December.

Major Price ; Captains Ballard, Hill, and Cornwallis ; Lieutenants Gibbs and D'Oyley ; Cornets Brett and Swainton ; Secretary Barnes ; Mr. Seaburne, Mr. Windsor, Mr. Anderson, Mr. Turbeville, Mr. Beaumont, Mr. Powel, Mr. Harrington ; two Surgeons, two Priests, and many others of less Note.

Sir Robert Harley farther informed the Lords, That the Commons desired their Concurrence in appointing a Thanksgiving to Almighty God, the next Sabbath-Day, in *London* and within the Line of Communication, for the Taking of *Hereford* ; and also that Colonel *Birch* might be Governor of that City : To both these the Lords agreed accordingly.

Dec. 25. Being Christmas-Day, both Houses sat as usual, to do Business, but nothing material happened in either. Mr. Whitlocke observes, That, notwithstanding the Ordinance made and publish'd for abolishing this Festival, yet generally, in London, the Shops were shut up and the Day observed.

Dec. 26. The House of Commons sent up an Answer to the King's Letters ; which the Lords read, approved of, and ordered to be communicated to the Scots Commissioners ; which they, after some Deliberation, having consented to, it was ordered to be sent away that Afternoon, by Sir Peter Killegrew.

May it please your Majesty,

The Parliament's Answer to the King's Messages of December 5th and 15th for Peace.

THE Lords and Commons assembled in the Parliament of England, at Westminster, have received your Letters of the 5th and 15th of this Instant December ; and having, together with the Commissioners of the Parliament of Scotland, taken the same into their serious Consideration, do humbly return this Answer :

They have, in all their Actions, manifested to your Majesty and the World, their sincere and earnest De-

Desires that a safe and well-grounded Peace might be settled in your three Kingdoms; and for the obtaining so great a Blessing, shall ever pray to God and use their utmost Endeavours: And beseech your Majesty to believe, that their not sending a more speedy Answer hath not proceeded from any Intention to retard the Means of putting an End to these present Calamities by a happy Peace; but hath been occasioned by the Considerations and Debates necessary in a Business of so great Importance, wherein both Kingdoms are so much concern'd.

An. 21. Car. I.
1645.

December.

As to your Majesty's Desire of a Safe-Conduct for the coming hither of the Duke of Richmond, the Earl of Southampton, John Ashburnham and Jeffrey Palmer, Esqrs. with Propositions to be the Foundation of an happy and well-grounded Peace; they finding that former Treaties have been made Use of for other Ends, under Pretence of Peace, and have proved dilatory and unsuccessful, cannot give Way to a Safe-Conduct according to your Majesty's Desire: But both Houses of the Parliament of England having now under their Consideration Propositions and Bills for the settling of a safe and well-grounded Peace, which are speedily to be communicated to the Commissioners of the Kingdom of Scotland, do resolve, after mutual Agreement of both Kingdoms, to present them with all Speed to your Majesty.

G R E Y of Warke,
Speaker of the House of Peers
pro Tempore.

Westminster, Dec. 26,
1645.

WILLIAM LENTHALL,
Speaker of the House of Commons.

But, before this Answer was received by the King, another Message came from his Majesty ushered in to the House of Lords, in the usual Manner; and was in these Words:

For

An. 21. Car. I. For the SPEAKER of the House of PEERS *pro Tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of Scotland.

1645.

December.

CHARLES R.

Another Message of the 26th, for a Personal Treaty, sent before his Majesty's Receipt of the foregoing Answer.

Notwithstanding the strange and unexpected Delays (which can be preceded by no former Times) to his Majesty's two former Messages, his Majesty will lay aside all Expostulations, as rather serving to lose Time than to contribute any Remedy to the Evils which, for the present, do afflict this distracted Kingdom: Therefore, without further Preamble, his Majesty thinks it most necessary to send these Propositions this Way, which he intended to do by the Persons mentioned in his former Messages; though he well knows the great Disadvantage which Overtures of this Kind have, by the Want of being accompanied by well-instructed Messengers.

His Majesty conceiving that the former Treaties have hitherto proved ineffectual, chiefly for Want of Power in those Persons that treated, as likewise because those from whom their Power was derived (not possibly having the particular Informations of every several Debate) could not give so clear a Judgment as was requisite to so important a Business: If therefore his Majesty may have the Engagement of the two Houses at Westminster, the Commissioners of the Parliament of Scotland, the Mayor, Aldermen, Common Council, and Militia of London; of the Chief Commanders in Sir Thomas Fairfax's Army, as also of those in the Scots Army, for his Majesty's free and safe Coming to, and Abode in, London or Westminster, (with such of his Servants now attending him, and their Followers, not exceeding in all the Number of 300) for the Space of forty Days; and, after the said Time, for his free and safe Repair to any of his Garrisons of Oxford, Worcester, or Newark, (which his Majesty shall nominate at any Time before

fore his going from London or Westminster) his Majesty propounds to have a Personal Treaty with the two Houses of Parliament at Westminster, and the Commissioners of the Parliament of Scotland, upon all Matters which may conduce to the restoring of Peace and Happiness to these miserably distracted Kingdoms; and to begin with the three Heads which were treated on at Uxbridge. And for the better clearing of his Majesty's earnest and sincere Intentions of putting an End to these unnatural Distractions, (knowing that Point of Security may prove the greatest Obstacle to this most blessed Work) his Majesty therefore declares, That he is willing to commit the great Trust of the Militia of this Kingdom, for such Time and with such Powers as are express'd in the Paper delivered by his Majesty's Commissioners at Uxbridge, the 6th of February last, to these Persons following, viz. the Lord Privy-Seal, Duke of Richmond, Marquis of Hertford, Marquis of Dorchester, Earl of Dorset Lord-Chamberlain, Earl of Northumberland, Earl of Essex, Earl of Southampton, Earl of Pembroke, Earl of Salisbury, Earl of Manchester, Earl of Warwick, Earl of Denbigh, Earl of Chichester, Lord Say, Lord Seymour, Lord Lucas, Lord Lexington, Mr. Denzil Holles, Mr. Pierpoint, Mr. Henry Bellasis, Mr. Richard Spencer, Sir Thomas Fairfax, Mr. John Ashburnham, Sir Gervase Clifton, Sir Henry Vane, jun. Mr. Robert Wallop, Mr. Thomas Chicheley, Mr. Oliver Cromwell, and Mr. Philip Skippon; supposing that these are Persons against whom there can be no just Exception. But if this doth not satisfy, then his Majesty offers to name the one Half, and leave the Election of the other to the two Houses of Parliament at Westminster, with the Powers and Limitations before-mentioned.

Thus his Majesty calls God and the World to be Witness of his sincere Intentions and real Endeavours for the composing and settling of these miserable Distractions; which he doubts not but, by the Blessing of God, will soon be put to an happy Conclusion, if this his Majesty's Offer be accepted; otherwise, he leaves

An. 21. Car. I.
1645.

December.

An. 27. Car. 1.
1645.

December.

leaves all the World to judge who are the Continuers of this unnatural War. And therefore he once more conjures you, by all the Bonds of Duty you owe to God and your King, to have so great a Compassion on the bleeding and miserable Estate of your Country, that you join your most serious and hearty Endeavours with his Majesty, to put an happy and speedy End to these present Miseries.

Given at the Court at Oxford, the 26th of December, 1645.

Dec. 30. Sir Peter Killegrew, the Messenger sent with the Parliament's Letter to the King, returned with this Answer :

For the SPEAKER of the House of PEERS *pro Tempore*, to be communicated to the two Houses of Parliament at Westminster, and the Commissioners of the Parliament of Scotland.

CHARLES R.

A Message from the King, December 29th, occasioned by that Answer.

ALTHO' the Message, sent by Sir Peter Killegrew, may justly require an expostulatory Answer, yet his Majesty lays that aside, as not so proper for his present Endeavours; leaving all the World to judge, whether his Proposition for a Personal Treaty, or the flat Denial of a Safe-Conduct for Persons to begin a Treaty, be greater Signs of a real Intention to Peace; and shall now only insist upon his former Message of the 26th of this December, That, upon his Repair to Westminster, he doubts not but so to join his Endeavours with his two Houses of Parliament, as to give just Satisfaction not only concerning the Business of Ireland, but also for the settling of a Way for the Payment of the Public Debts, as well to the Scots and the City of London, as others. And as already he hath shewn a fair Way for the settling of the Militia, so he shall carefully endeavour, in all other Particulars, that none shall have Cause to complain for want of Security, whereby just Jealousies may arise to hinder the Continuance of the desired Peace.

cer-

certainly this Proposition of a Personal Treaty could never have entered into his Majesty's Thoughts, if he had not resolved to make apparent to all the World, That the Public Good and Peace of this Kingdom is far dearer to him than the Respect of any particular Interest: Wherefore none can oppose this Motion, without a manifest Demonstration, That he particularly envies his Majesty should be the chief Author in so blessed a Work, besides the declaring himself the direct Opposer of the happy Peace of these Nations. To conclude: Whosoever will not be ashamed that his fair and specious Protestations should be brought to a true and public Test, and those who have a real Sense and do truly commiserate the Miseries of their bleeding Country, let them speedily and chearfully embrace his Majesty's Proposition for his Personal Treaty, at Westminster; which, by the Blessing of God, will undoubtedly, to these now distracted Kingdoms, restore the Happiness of a long-wish'd-for and lasting Peace.

Given at the Court at Oxford the 29th Day of December, 1645.

The next Day, the House of Commons sent a Message to the Lords, importing, That upon reading of the King's Letters of the 26th and 29th of December, they do find a greater Necessity to continue in their former Resolution, 'That the Militia of this Kingdom shall be put in the Power of both Houses of Parliament, and not otherwise, according to the Proposition concerning the Militia already sent from their House to the Lords; and that the Lords Concurrence be desired, both in the said Proposition and in the Vote; and that the Lords be desired, if they shall agree in the said Proposition and in this Vote, that they will concur with this House, That the said Proposition concerning the Militia and this Vote may, by the Members of both Houses that are of the Committee of both Kingdoms, be communicated to the Scots Commissioners, and their Concurrence desired to both.'

To all which the Lords agreed.

The

An. 21. Car. I.
1645.

December.

Resolutions of
both Houses
thereon.

An. 21. Car. I.

1645.

December.

A Committee appointed, by Parliament, to compound with the Royalists for their sequestered Estates.

The King's Affairs now growing desperate, on all Sides, many Gentlemen of Estates, who had served his Majesty in his Armies, sought to make the best of a bad Bargain, and save some Part, by compounding for the whole. A Committee for such Uses was settled, by Parliament, at *Goldsmith's-Hall*; and Time was allowed to the 25th of this Month, for those who thought proper to come in to compound. Soldiers of Fortune, as they were called, or those who had no Estates, were suffered to transport themselves to any foreign Country, never more to return to their own, without Leave from the Parliament: But, if they returned again, and took up Arms against the Parliament, then they were neither to have a Pardon nor Quarter.

A Fast appointed for God's Assistance in the Settlement of Church-Government.

January. Both Houses having been long employ'd in settling Church-Government, according to the Presbyterian Model, on the third of this Month the Commons sent up a Message by Sir *Robert Harley*, to desire the Lords Concurrence, 'That, to the end they all might have God's Assistance, in the finishing and settling this great Work of Church-Government, a Day might be appointed and set apart for a Day of Humiliation for both Houses of Parliament and the Assembly of Divines, to seek God for his Direction therein; the Time and Place they left to their Lordships.— The Lords agreed to this, and appointed *Wednesday* the 15th Instant at *St. Martin's in the Fields*.

A Draught of an Answer, from the Parliament, to the King's Messages of the 26th and 29th of December.

Jan. 3. The Form of a *Letter*, drawn up by the Committee of both Kingdoms, to be sent to the King as an *Answer* to his two last, was this Day read to the Lords, and ordered to be communicated first to the *Scots Commissioners*, and then sent away to his Majesty by a Trumpeter.

May it please your Majesty,

WE, your humble and loyal Subjects of both Kingdoms, have received your *Letters* of the 26th and 29th of *December* last, unto which

‘ which we humbly return this *Answer*, That there An. 21. Car. I.
 ‘ hath been no Delay on our Parts but what hath 1645.
 ‘ been necessary in a Business of so great Confe-
 ‘ quence, as is expressed in our former *Letter* to
 ‘ your Majesty. January.

‘ Concerning the *Personal Treaty* desired by
 ‘ your Majesty; there having been so much in-
 ‘ nocent Blood of your good Subjects shed in this
 ‘ War by your Majesty’s Commands and Com-
 ‘ missions, *Irish* Rebels brought over into both
 ‘ Kingdoms, and Endeavours to bring over more
 ‘ into both of them, as also Forces from foreign
 ‘ Parts; your Majesty being in Arms in these
 ‘ Parts, and the Prince at the Head of an Army
 ‘ in the *West*; divers Towns made Garrisons and
 ‘ kept in Hostility against the Parliament of *En-*
 ‘ *gland*; there being also Forces in *Scotland* against
 ‘ that Parliament and Kingdom by your Majesty’s
 ‘ Commission; the War in *Ireland* fomented and
 ‘ prolonged by your Majesty, whereby the three
 ‘ Kingdoms are brought near to utter Ruin and
 ‘ Destruction; we conceive that untill Satisfaction
 ‘ and Security be first given to both your King-
 ‘ doms, your Majesty’s coming hither cannot be
 ‘ convenient, nor by us assented to; neither can
 ‘ we apprehend it a Means conducing to *Peace*,
 ‘ that your Majesty should come to your Parlia-
 ‘ ment for a few Days, with any Thoughts of
 ‘ leaving it, especially with Intentions of returning
 ‘ to Hostility against it.

‘ And we do observe that your Majesty desires
 ‘ a Safe-Conduct, not only from your Parliament,
 ‘ but from the Lord Mayor, Aldermen, Common
 ‘ Council, and Militia of the City of *London*, the
 ‘ Chief Commanders of Sir *Thomas Fairfax*’s Ar-
 ‘ my, and those of the *Scots* Army; which is a-
 ‘ gainst the Privileges and Honour of your Parlia-
 ‘ ment, those being join’d with them who are sub-
 ‘ ject and subordinate to their Authority.

‘ As to that which your Majesty, against the
 ‘ Freedom of Parliament, enforces in both your
 ‘ *Letters*, with many earnest Expressions, as if in
 VOL. XIV. N ‘ no

An. 21. Car. I.

1645.

January.

no other Way than that propounded by your Majesty, the *Peace* of your Kingdoms could be established, your Majesty may please to remember, that, in our last *Letter*, we did declare that *Propositions* from both Kingdoms were speedily to be sent unto your Majesty; which being assented unto by your Majesty, will be the only Means whereby you can give Satisfaction and Security to your Kingdoms, will assure a firm Union between the two Kingdoms (as much desired by each for other as for themselves) settle Religion, and secure the Peace of the Kingdom of *Scotland*, whereof neither is so much as mentioned in your Majesty's *Letter*. And in proceeding according to these just and necessary Grounds, to the putting an End to the bleeding Calamities of these Nations, your Majesty may have the Glory to be a principal Instrument in so happy a Work; and we, however misinterpreted, shall approve ourselves to God and the World to be real and sincere in seeking a safe and well-grounded *Peace*.

Jan. 5. The foregoing *Letter* having been communicated to the *Scots* Commissioners for their Consent to it, they, this Day, returned a *Paper* to the Lords, which contained their Thoughts on the said *Letter*, which was read *in hæc Verba*:

Dec. 5, 1645.

The Scots Commissioners Objections to it.

According to an *Order* of both Houses your Lordships did, upon *Saturday* at Night, communicate unto us their *Answer* to the King's *Letter*, in Reference to our Concurrence; and, upon Perusal thereof, we have thought fit to desire it may be considered, whether so full and express charging of his Majesty, as is contained in the second Paragraph, doth conduce to the intended Pacification; and whether it may not, contrary to the Intentions of both Kingdoms, probably be interpreted to a further End than to decline a *Personal Treaty*.

Some

Some Expressions, as we conceive, may, upon a second Consideration, be made more distinct and clear, wherein we shall be very ready to concur with your Lordships: But one Thing there is very material to us, which we desire to have alter'd in the fourth Paragraph, *Your Majesty may please to remember that, in our last Letter we did declare that Propositions for both Kingdoms were speedily to be sent to your Majesty, which being assented to by your Majesty, will be the only Means whereby you can give Satisfaction and Security unto your Kingdoms: Because these Words, as they now stand, do imply not only that the Parliaments of the two Kingdoms will receive no Propositions from his Majesty to be the Foundation of a safe and well-grounded Peace; but also, that there can be no Satisfaction or Security, unless his Majesty assent unto every Particular, of the smallest Importance, contained in the Propositions to be sent from both Kingdoms; and do further imply, that there shall be no Treaty upon those Propositions; which Things we have no Power to declare, as is well known to the Honourable Houses.*

An. 27. Car. I.
1645.
January.

By Command of the Commissioners for the Parliament of Scotland.

JOHN CHIESLEY.

The same Day the Speaker of the House of Lords acquainted them with a *Letter* he had received from the Earl of Rutland and the Lord Willoughby, two of the Commissioners appointed to reside with the Army before Newark, dated at Nottingham, January 2, 1645, which was read as follows:

My Lord,

THE next Night after we came to Grantham the Carriages with the Cloaths and Money came to us, with a Convoy of 300 Scots Horse and Dragoons. We have received what was appointed for us; and the same Night gave Orders for the Cloaths and 15,000*l.* in Money to go to Nottingham the next

Letters, &c. from the Committee residing with the Army before Newark.

An. 21. Car. 1.
1645.

January.

Day; and sent to the Committee there to provide Waggon to carry them to the Scots Quarters, having wrote at the same Time to Lieutenant-General David Lesley. Accordingly the Money and Cloaths were received, as by an Acquittance returned to Goldsmiths-Hall will appear.

We have used our best Endeavours towards the reducing of Newark and Belvoir, and find very ready Compliance, by the Answer we have received to our Letters, from the several Committees, and don't doubt but their Actions will be suitable. The Counties adjacent are very forward in this Service, and the Officers and Soldiers vigilant and full of Courage.

We desired to meet Lieutenant-General David Lesley at Nottingham, and we naming the Place left the Time to him; but afterwards receiving a Petition, herewith sent, from the County of Nottingham, we wrote to him on Tuesday in the Afternoon to meet us on Thursday; and received from him a Letter, as you will perceive, without Date; which not coming till seven at Night on Thursday, we imagined he meant Thursday in the next Week, till we heard, about Midnight, from the Governor of Nottingham, that he had staid there most of that Day for us.

Lieutenant-General David Lesley met us Yesterday at this Town, and his Letter expressing no Committee of that Kingdom to be with their Army, we desired to know what Authority he had to join with us; which, with the Results of our Conference, is herewith sent unto you. The Country alledging the Number of the Scots Soldiers to be under the List given to us, we desired to take Musters of that Army according to our Instructions; and shewed Lieutenant-General Lesley the Ordinance for our disbursing 6000 l. to them after Muster taken by us; he returned this Answer, He could not consent to it till he had received Authority from his Superiors. We desired to know whom he meant: He said, From the Committee of both Kingdoms at London, or any other that could give him Leave; and for which he agreed to write to the Commissioners of

of Scotland now at London. Being for the present debarred from taking *Musters*, we proceeded to do this distressed Country the best Service we could, and therefore made him an Offer of 10,000 l. monthly, which we pressed him to accept; and, amongst other Arguments, For that by the Treaty there should be 21,000 Men for 30,000 l. monthly; and 10,000 l. a Month was more than proportionable for their Forces, if there were only betwixt 6 and 7000. He told us, The Number of Horse encreased the Charge. We answered, By the Treaty there were to be 18,000 Foot, 2000 Horse, and 1000 Dragoons.

An. 21. Car. I.

1645.

January.

Our Papers follow in the Order we received them; and, upon our last, the Lieutenant-General desired to know if we intended to take off the Restriction in our Letter, which was in these Words, Till we meet, or whether we did leave him to provide for himself. After Consultation with the Committee of Nottingham, they agreed with him for 2500 l. for this County for a Week, which ends on Wednesday next. We beseech your Lordships to take speedily into your Consideration how these great Inconveniences may be remedied; and the Ruin of these Parts, and of this wasted Country, may be prevented.

Your Lordships most humble Servants,

J. RUTLAND.
F. WILLOUGHBY.

Next follow, in the *Lords Journals*, the Papers mentioned in the foregoing Letter. And first that from the Committee of Parliament, sent to Lieutenant-General *David Lesley*, which was address'd to the Scots Commissioners, whom they supposed to be then resident with the Army before *Newark*.

My Lords and Gentlemen,

THE Convoys are come this Night hither. We have conferred with Lieutenant-General *Urrey*; and because we desire the Money and Cloaths may come with all Speed to you, and lest the breaking of

198 *The Parliamentary History*

An. 21. Car. 1.
1645.
January.

the Frost should make the Way very ill for Carriages, we have made Use of the same which came from London to come to Nottingham; but by reason of the Orders given to their Convoys of Dragoons for their speedy Return to London, we cannot send them to your Quarters; we have therefore sent to the Committee at Nottingham to provide twelve Carriages to be ready at Nottingham on Monday Morning, to meet the Money and Provisions there, and to bring them to you. We desire you to appoint your Commissary to meet them at Nottingham, to give Mr. Squire, who is sent down by the Committee at Goldsmiths-Hall, your Acquittance and Discharge on the Receipt of these Particulars, which are according to this Note inclosed; and, if you please, we will meet you at Nottingham, which we suppose the most convenient, to advise for the carrying on this Service intrusted with us by both Kingdoms; the Time we leave with you, as may best suit your own Occasions.

Your Lordships

Grantham, Dec. 26,
1645.

Affectionate Friends

and humble Servants,

J. RUTLAND.

F. WILLOUGHBY.

Lieutenant-General LESLEY's Answer.

Right Honourable,

I Have received yours of the 26th of this Instant, and shall, according to your Desire, forthwith dispatch our Commissary to attend our Carriages at Nottingham. I am sorry there are none of the Committee of the Parliament here at present to meet with your Lordships; but, if it may please you, I intend to wait on you at Nottingham on Thursday next; whereby I shall be ready to contribute my best Endeavours in advising what is fittest to be done in carrying on the present Service. I am

Your Lordships most humble Servant,

DAVID LESLEY.

The

The COMMITTEE'S Reply.

An. 21. Car. I.
1645.

S I R,

January.

WE have this Day received a Petition from the County of Nottingham, expressing their great and heavy Sufferings, and their Desire of speedy Remedy to prevent their Ruin; in Discharge of the Trust reposed in us we shall do our utmost Endeavours for them, and know not a more ready Way than by our speedy conferring with you; we therefore desire you to meet us on Thursday Night next, at Nottingham. These Motives do engage you and us to lose no Time, and will, we know, excuse our appointing this Day before we hear further from you.

We hear the last Week's Assessments on the Counties of Nottingham and Derby, for your Army, do end To-morrow; and we most earnestly desire that no farther Assessments may be made for your Forces till we have met, considering the Miseries of those Counties, who are utterly exhausted, and that Cloaths and 15,000 l. Sterling in Money are come in to you from the Parliament; and you will assuredly find our complying to provide Necessaries for you, that your Friends may have Subsistence, and the Counties no Cause to complain.

Your humble Servants,

Grantham, Dec. 30,
1645.

J. RUTLAND.
F. WILLOUGHBY.

Their DECLARATION sent to General LESLEY, on occasion of the Scots Commissioners not being come to Newark.

Nottingham, Jan. 2, 1645.

WHereas we are appointed by both Houses of Parliament to advise, debate, and conclude with our Brethren of Scotland, or such as shall be authorized by them thereunto; and, by joint Advice with them, to put in Execution all such Matters and Things concerning the well-ordering, directing, and

An. 21. Car. I.
1645.

January.

and Disposal of the Forces brought in and employed by them for their Assistance; and having received a Letter from you, wherein it is expressed that there is no Committee of the Parliament of Scotland now residing with your Army, we therefore desire to know what Authority is given unto you from the Parliament of Scotland to join with us, that accordingly we may apply ourselves in the Prosecution of those Commands which we have received.

Sign'd in the Name and by Warrant of the Committee of both Houses of the Parliament of England.

J. RUTLAND.

General LESLEY'S PROPOSALS for Maintenance of the Scots Army.

My Lords and Gentlemen,

Since that your Lordships are appointed by the Honourable Houses of the Parliament of England, to conclude with such as shall be authorized by the Parliament of Scotland, to order all Matters concerning the reducing the Town of Newark to the Obedience of the King and Parliament, I daily expect there shall be Commissioners sent express from the Parliament of Scotland to attend your Lordships accordingly; in the mean Time, as Commander of this Army, I am most willing to concur with your Lordships in all Things that may be thought necessary to the Advantage and Accomplishment of the Work in Hand, provided sufficient Maintenance may be given for Man and Horse according to the following Schedule:

The Foot being 3600 at 4 d. per Diem,	}	£.
for seven Days is		
The Officers of the Foot of eight Regiments,	}	500
at two Parts Pay will amount weekly to		
The Horsemen being reckoned to 4000, at	}	2100
1 s. 6 d. per Diem, as Part of their		
Pay, is for the Week	}	3020

Carried over

Brought

Of ENGLAND. 201

Brought over	—	—	£. 3020	An. 21. Car. I. 1645.
The Officers of the Horse, at two Parts	}	1960	January.	
Pay, per Diem to the Sum of 280 l.				
and for the Week to the Sum of				
The Officers with the Staff and Train of	}	300		
Artillery, the weekly Sum of				
In all to the weekly Sum of			5280	

Nottingham, Jan. 2, Your Lordships Servant,
1645.

DAVID LESLEY.

The ANSWER of the COMMITTEE of Parliament.

Nottingham, Jan. 2, 1645.

WE do offer to provide for your Army for Horse, Foot, Officers of the Staff, and Train of Artillery, the Sum of 10,000 l. for twenty-eight Days, to begin from Wednesday last past; a third Part to be paid in Money, the other two third Parts in Provisions, according to the Rates under-mentioned, which shall be brought into your Quarters weekly. We can give no Answer to the Number of the Soldiers, untill, with your Consent, Musters of them shall be taken by such as we shall appoint; but when we have taken Musters, we shall use our best Endeavours that Subsistence be provided for them according to their Numbers.

			l.	s.	d.
Oats per Quarter,	—	—	0	14	0
Hay per Stone,	—	—	0	0	2
Peas and Beans per Strike,	—	—	0	2	8
Straw per Threave,	—	—	0	0	6
Beef per Pound.	—	—	0	0	2½
Mutton, Lamb, Veal, per Pound	—	—	0	0	3
Pork per Pound,	—	—	0	0	4
Bread per Pound,	—	—	0	0	1
Cheese per Pound,	—	—	0	0	2½
Butter per Pound	—	—	0	0	4
Oatmeal per Strike,	—	—	0	4	8
					Malt,

An. 21. Car. I.
1645.

January.

Malt,	—	—	—	0	3	4
Milk and Beer per Gallon	—	—	—	0	0	4

Sign'd in the Name and by Warrant of the
Committee of both Houses of the Parlia-
ment of England.

J. RUTLAND.

General LESLEY's Reply.

My Lords and Gentlemen,

I Understand your Lordships are willing to give only 10,000 l. for the Maintenance of our Army for twenty-eight Days, which will not amount to the Half of what may make us subsist, and is impossible for me to condescend unto; for the Horsemen must be allotted 1 s. 6 d. per Diem, the Foot Soldiers 4 d. and the Officers two Parts of their full Means; wherefore I shall humbly desire your Lordships to be pleased to give Orders for sufficient Maintenance while we hear farther from the Committee of both Kingdoms: In doing thereof you shall further oblige me, and those under my Command, to undergo any Thing that may best conduce to the Good of the Public Service.

Your Lordships humble Servant,

Nottingham, Jan. 2,
1645.

DAVID LESLEY.

Jan. 7. The Commons sent up a Message to acquaint the Lords with the following *Examination* taken by a Committee of their House, concerning some Plots intended to have been executed upon the King's Coming to London; in which it was resolved to secure the City, the Tower, and the Parliament before they meddled with any private Business.

An Examination
taken concern-
ing a Plot to be
executed if the
King should come
to London.

* * * * *, Being examined faith, ' That
' he heard Prince *Rupert*, with many others,
' swear, That if his Uncle could but get into Lon-
' don, tho' but with 300 Men; before they had been
' there

‘ there three Hours he should have 3000, 3000, An. 21. Car. I.
 ‘ and 3000 to that; and that he himself would 1645.
 ‘ cut all the Throats of the Round-Head Rogues
 ‘ that sit in the Parliament. }
 January.

‘ That Prince *Rupert* said, His Uncle had many Friends in *London* which durst not shew themselves; but when his Uncle came they would, and then he did not doubt but to make good all their Losses; and Prince *Maurice* confirmed and agreed to these Speeches of his Brother by many Oaths.

‘ And this the Examinant is ready to make good to be most true upon his Oath.

‘ And this Examinant farther saith, That all the Reformadoes being about to guard his Majesty’s Person on New Year’s Eve, at Night it was noised that his Majesty would go to *London* the next Morning, whether the *Letters* from the Parliament came or no; upon this there was a Bustle in *Oxford* to provide to go immediately; and that it was the general Voice, that their Party is so great here, as they have Assurance from those who come from *London* daily without Interruption, that, if his Majesty come, they shall easily destroy the City and the Parliament, and take all to themselves: And that upon the Stop of his Majesty’s Coming, the next Day it was ordered, That all the Troopers should quarter in and about *Oxford* upon Free-Quarter for a Fortnight, because they hoped to come away before that Time.’

It is observable, That the Proof of this Plot rested upon the Credit of one single Witness without a Name: And when it is also remembred that about this Time Prince *Rupert* was in Disgrace with the King, there seems some Reason to apprehend, That this Plot was only a Contrivance of the *Independent* Party, whose Views were inconsistent with any Peace at all; and were apprehensive that the King’s Personal Treaty with the Par-

An. 21. Car. 1. Parliament might create too good an Understanding between them.

1645.
January.

The Answer to the King's Messages of December 26th and 29th, as settled by the Parliament and the Scots Commissioners.

All this Time the Parliament's last *Answer* to the King was staid from sending away, for Want of the *Scots* Commissioners Consent to it. The Passage they objected to, with their Reasons for so doing, we have already given: However, it was at last agreed, that the Members of both Houses, who were of the Committee of both Kingdoms, should have Power to settle this Matter with the *Scots*, and alter the Sentence objected to as they thought fit: But, not before this Day, Jan. 13, was the *Letter* agreed to and sign'd by all Parties, in which the Passage objected to was alter'd thus: *That Propositions from both Kingdoms were speedily to be sent to your Majesty, which we conceive to be the only Way for obtaining an happy and well-grounded Peace; and your Majesty's Assent unto those Propositions will be an effectual Means for giving Satisfaction and Security to your Kingdoms: Instead of, That Propositions from both Kingdoms were speedily to be sent to your Majesty; which being assented unto by your Majesty, will be the only Means whereby you can give Satisfaction and Security to your Kingdoms.*

It is observable here, that though Mr. *Rushworth* gives us all the *Messages* from the King, with the *Answers* from both Houses, yet he takes no Notice of the several Altercations between the Parliament and the *Scots* Commissioners; the latter of whom seem'd to have expressed most Regard for the King's Honour.

The Siege of *Newark* still continuing, the Lords received a *Letter* this Day from the Commissioners sent down into those Quarters, recommending an inclosed *Petition* to them, to their serious Consideration; which, since it fully and pathetically expresses the Miseries of the Country in the Neighbourhood of *Newark*, is too material to be omitted.

To the Right Hon. the COMMITTEE of LORDS An. 21. Car. I.
and COMMONS,

1645.

January.

The HUMBLE PETITION of the Inhabitants of that
Part of the County of Nottingham lying on the
North Side Trent,

Sheweth,

‘ **T**HAT we did of late, by an humble Peti-
‘ tion, present unto your Honours the Pay-
‘ ments and Sufferings of this County by Occa-
‘ sion of this present War; which, within three
‘ Years last, did amount to above a Million of
‘ Money, whereof we did account the Charge of
‘ this present Scots Army to be but 200,000 l.
‘ which now, upon Examination by your Honours
‘ Direction, will appear to be 261,189 l. 7 s. 2 d.
‘ notwithstanding divers whole Towns, and many
‘ other particular Persons, have not brought in
‘ their Bills touching the same. We did with
‘ the less Grief undergo the grievous Pressures
‘ of the Scots Army, in a comfortable Hope that
‘ your Honours Coming into these Parts would af-
‘ ford us a speedy Relief; being fully persuaded
‘ then, as we are still, that that Army was not in-
‘ vited, or drawn hither, with any Intent to be our
‘ irreparable Ruin.

A Petition from
Nottingham-
shire, setting
forth the Distress
of that County.

‘ Notwithstanding our humble Representation,
‘ and your Honours Access to it, we yet under-
‘ stand not any Ease; but find this Part of the
‘ County still charged with an Assessment of 2500 l.
‘ weekly, besides, for the most Part, free Quarter for
‘ all Officers and listed Soldiers, and for all other
‘ Men, Women, and Boys depending on, or sha-
‘ dowing themselves under, that Army; and that
‘ which is worst of all is, the Tyranny and Evils
‘ incident to free Quarter in the best-govern’d Ar-
‘ mies. If that 2500 l. with the Charge of the
‘ free Quarter, shall still continue, it cannot be
‘ less, in our Opinions, than 5000 l. weekly,
‘ which must be borne by two Parts in three of
‘ an

An. 27. Car. 1.
1645.

January.

‘ an Half of this County, by reason of untenanted Grounds, and Places visited with the Sickness. This being our sad and lamentable Condition, bringing upon us present and apparent Destruction, we once more humbly crave Leave to present the same to your Honours Goodness and great Wisedoms; beseeching your Honours Consideration and present Relief, without which, these Assessments and free Quarters still continuing upon us, it will inevitably follow that, as a third Part of this County is already deserted, and every Day others are continually leaving their Places, and conveying what Goods they can away, the small Remainder, that cannot do the like, must bear all the Burden; or, sinking under it, will be driven to prostrate all their Estates to the Mercy of the Army, and be forced to beg from them a Part to keep themselves and Families from perishing.’

Before the Parliament’s last *Answer* could get to the King’s Hands, his Majesty had dispatched another *Letter* to them, which was read in the House of Lords, this Day, Jan. 16, as follows;

For the SPEAKER of the House of PEERS *pro Tempore*, to be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

The King’s Fifth Message for Peace, Jan. 15, before his receiving the Parliament’s Answer to the two last.

BUT that these are Times wherein nothing is strange, it were a Thing much to be marvelled at what should cause this unparalleled long Detention of his Majesty’s Trumpet, sent with his gracious Message of the 26th of December last, Peace being the only Subject of it, and his Majesty’s Personal Treaty the Means proposed for it. And it were almost as great a Wonder, that his Majesty should be so long from enquiring after it, if that the hourly Expectation thereof had not in some Measure satisfied

satisfied his Impatience. But lest his Majesty, by An. 21. Car. I.
his long Silence, should condemn himself of Care-
lessness in that which so much concerns the Good of
all his People, he thinks it high Time to enquire af-
ter his said Trumpeter: For since all Men, who
pretend any Goodness, must desire Peace, and that
all Men know Treaties to be the best and most Chri-
stian Way to procure it; and there being as little
Question that his Majesty's personal Presence in it
is the likeliest Way to bring it to a happy Issue, he
judges there must be some strange Variety of Acci-
dents which causeth this most tedious Delay: Where-
fore his Majesty earnestly desires to have a speedy
Account of his former Message, the Subject where-
of is Peace, and the Means his personal Presence at
Westminster; where, the Government of the Church
being settled as it was in the Times of the happy
and glorious Reigns of Queen Elizabeth and King
James, and full Liberty for the Ease of their
Consciences who will not communicate in that Ser-
vice established by Law, and likewise for the free
and public Use of the Directory (prescribed, and,
by Command of the two Houses of Parliament, now
practised in some Parts of the City of London) to
such as shall desire to use the same; and all Forces
being agreed to be disbanded, his Majesty will then
forthwith (as he hath in his Message of the 29th
of December last already offered) join with his
two Houses of Parliament in settling some Way
for the Payment of the Public Debts to his Scots
Subjects, the City of London, and others. And his
Majesty having proposed a fair Way for the settling
of the Militia, which now, by this long Delay,
seems not to be thought sufficient Security, his Ma-
jesty (to shew how really he will employ himself at
his Coming to Westminster for making this a last-
ing Peace, and taking away all Jealousies, how
groundless soever, will endeavour, upon Debate
with his two Houses, so to dispose of it, as likewise
of the Business of Ireland, as may give to them and
both Kingdoms just Satisfaction; not doubting also
but to give good Contentment to his two Houses of
Par-

1645.

January.

An. 21. Car. 1.
1645.

January.

Parliament in the Choice of the Lord-Admiral, the Officers of State, and others, if his two Houses, by their ready Inclinations to Peace, shall give him Encouragement thereunto.

Thus his Majesty having taken Occasion, by his just Impatience, so to explain his Intentions that no Man can doubt of a happy Issue to this succeeding Treaty; if now there shall be so much as a Delay to the same, he calls God and the World to witness who they are that not only hinder, but reject this Kingdom's future Happiness: It being so much the stranger, that his Majesty's Coming to Westminster (which was first the greatest Pretence for taking up Arms) should be so much as delayed, much less not accepted or refused. But his Majesty hopes that God will no longer suffer the Malice of wicked Men to hinder the Peace of this too-much afflicted Kingdom.

Given at the Court at Oxford, the 15th of January, 1645.

The Lords ordered that this *Message* should be communicated to the House of Commons and the Scots Commissioners, as soon as possible.

The City of London petition for a speedy Settlement of Church-Government.

The same Day the Lord Mayor, Aldermen of London, &c. presented a *Petition* to the Lords, importing, That they desired a speedy Settlement of Church-Government might be ordained in the City, for the suppressing of all private Meetings on the Lord's Day, which were multiplied to such a Height, that there were no less than eleven in one Parish: That there were Instances of Women-Preachers in these Meetings, and of new and strange Doctrines and Blasphemies vented in them; whereby they said, the godly Orthodox Ministers were neglected and contemned as if they were Antichristian, and acted as under the Tyranny of a Prelatical Government, &c. The Lords gave them strong Assurances of their firm Attachment to Presbytery, according to their *Covenant*, and of their best Endeavours to answer the Desires of the Petitioners.

The

Jan. 17. An Ordinance for extending and enlarging of Martial Law was read, and, upon the Question, agreed to. The Earls of *Essex* and *Lincoln*, and the Lord *Roberts*, only dissenting; but no Reasons assigned for it. This was a new Bill of the Lords, the Commons having sent up one before, which their Lordships had rejected.

An. 21. Car. I.
1645.
January.

Jan. 19. The Speaker presented another Letter to the Lords, from the King, which was read in *hæc Verba*:

For the SPEAKER of the House of PEERS *pro Tempore*. To be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of Scotland.

CHARLES R.

HIS Majesty thinks not fit now to answer those Aspersions which are returned as Arguments for his Non-admittance to Westminster for a Personal Treaty, because it would inforce a Style not suitable to his End, it being the Peace of these miserable Kingdoms: Yet thus much he cannot but say to those who have sent him this Answer, That if they had considered what they had done themselves in occasioning the shedding of so much innocent Blood, by withdrawing themselves from their Duty to him in a Time when he had granted so much to his Subjects, and in violating the known Laws of the Kingdom to draw an exorbitant Power to themselves over their Fellow-Subjects, (to say no more, to do as they have done) they could not have given such a false Character of his Majesty's Actions: Wherefore his Majesty must now remember them, that having, some Hours before his receiving of their Paper of the 13th of January, sent another Message to them of the 15th; wherein, by divers Particulars, he enlargeth himself to shew the Reality of his Endeavours for Peace by his desired Personal Treaty, which he still conceives to be the likeliest Way to attain to that blessed End, he thinks fit, by this Message,

Another Message from the King, Jan. 17, requiring an Answer to all his former.

AN. 21. Car. I.
1645.

January.

sage, to call for an Answer to that, and indeed to all the former; for certainly no rational Man can think their last Paper can be any Answer to his former Demands, the Scope of it being, that because there is a War, therefore there should be no Treaty for Peace. And is it possible to expect that the Propositions mentioned should be the Grounds of a lasting Peace, when the Persons that send them will not endure to hear their own King speak? But whatever the Success hath been of his Majesty's former Messages, or how small soever his Hopes are of a better, considering the high Strain of those who deal with his Majesty, yet he will neither want fatherly Bowels to his Subjects in general, nor will he forget that God hath appointed him for their King, with whom he treats: Wherefore he now demands a speedy Answer to his last and former Messages.

Given at our Court at Oxon, this 17th of January, 1645.

The Lords ordered that this Letter should be communicated as before. The Commons sent up a Message the same Day, to desire the Lords to agree, that this Letter might be referred to the Committee of both Kingdoms, to consider of it and draw up an Answer, with the Advice of the Scots Commissioners, for the Vindication of the Parliaments of both Kingdoms.

Jan. 22. A Message was brought from the House of Commons by Mr. Nichols and others, who presented to their Lordships the following Letter relating to the Taking of Dartmouth:

For the Honourable WILLIAM LENTHALL, Esq;
Speaker of the Honourable House of Commons.

Mr. Rushworth's
Letter concern-
ing the Stosming
of Dartmouth by
Sir Thomas Fair-
fax;

S I R,

IF I write confusedly, I shall humbly crave your Pardon; for we have been up all Night, and Things are not yet in a settled Condition. In my former Letters

Letters I acquainted you how the Army was engaged before Dartmouth, a Place of as great, if not greater, Concernment than Exeter. It required some few Days Time to be thoroughly informed of the State of the Town, after which it was unanimously resolved to storm the same; for we find more Loss of Men by lingering Sieges than by sudden Storms. Every Commander was allotted to his Post, and they as faithfully and valiantly performed their Duties; every Man gaining the Command of every Foot or Place that fell to his Lot, with all the Ordnance, Arms, and Ammunition.

An. 21. Car. I.

1645.

January.

The Storm began about One o'Clock this Morning. After the Enemy had discharged their Cannon once, our Men got under the Shot, possessed the Cannon, and turned them against the Enemy; for we had no Pieces at all of our own, the Weather not admitting any to be brought. After the Line was cleared, and some Works taken, we became Masters of the whole Town, and then of Tonstall-Church, Mount-Flagon, Paradise Fort, and the Old Castle, in which Castle are five great Iron Guns which commanded the River. In the Storm our Men possessed themselves of about 60 Pieces of Ordnance.

The two great Forts are not yet taken, being a Mile from the Town, but if they accept not of Quarter while they may have it, in the Opinion of the General, Lieutenant-General, and Commanders, we may reduce them by Force in forty-eight Hours; and batter them in Pieces with their own Great Guns, which we have taken in the Town, one whereof is a Brass Demy Cannon.

Truly I never saw Men fall on more chearfully and merrily. Mr. Dell and Mr. Peters preached unto them, and put much Life into them; and God was wonderfully merciful to us, for we had but one Man slain and but few wounded, though the Forts played most fiercely on the Soldiers.

The Commanders and Forces that were engaged in the Storm were Col. Hammond and his Regiment; Col. Lambert and his Regiment; Col. Fortescue and his Regiment; Lieut. Col. Pride with Col. Harley's

An. 21. Car. I.
1645.

January.

Regiment; and a good Party out of the General's and Col. Ingoldby's Regiments, and, lastly, 200 Seamen and some Dragoons; and though the Town was entered thus by Storm, yet very little Prejudice was done to the Townsmen, the Soldiers being fair-conditioned beyond Expectation. They grumbled a little they had not the Reward promised at Bristol to save that Town from plundering, which City deserves to feel the Smart of Plunder for their Unthankfulness for the great Favours they found from the Army.

The Messenger is in Haste to be gone, and for further Particulars the House will suddenly receive an Account.

It hath pleased God wonderfully to bless the Army in this Expedition so far West; not only to scatter the Enemy's Horse, but to hinder the Relief intended for Exeter; and interrupted, nay quite broke, the young Generalissimo* in his new Levies; relieved Plymouth, and inforced the Enemy into Cornwall; leaving a Force sufficient to besiege Exeter. If the Army had formerly advanced, leaving that City unbesieged, as it was much desired, I think that Service would not have been of so much Advantage as the taking it this Season. Whilst you have Commanders that are faithful, if you'll let them put their Designs in Execution when their own Convenience and Judgment lead them to it, I hope you will have no Cause to repent it; but it is hard to please all.

Just now the Enemy beats a Parley in the two great Ports, so you may be assured we may have them on any Terms. The General sent the Comptroller to summon the two Men of War in the River, who yielded immediately; the one was Capt. Johnson's Ship of Newcastle, of ten Pieces of Ordnance; the other of fourteen Pieces of Ordnance, belonging to the Governor of Barnstaple. In Tonstall-Church we took 120 Prisoners, about 400 more in the Town and

* The Prince of Wales; who had, this Year, been appointed General of all the King's Forces in England, and also of the Western Association.

and other Works. I humbly take my Leave, and remain
 Your most humble Servant,

Dartmouth, Jan. 19.
 1645, Four in the
 Morning.

JO. RUSHWORTH.

1645.
 January.

A Day of Thanksgiving was ordered by both Houses for this News.

Jan. 23. A Letter from General Fairfax was presented to the Lords and read, containing some farther Particulars relating to the Storming of Dartmouth, dated Jan. 20. This Mr. Rushworth has inserted in his Collections, to which therefore we refer: But as he has only therein printed a short Extract from his own, we have given it at large as enter'd in the Lords Journals; and it appears by those of the Commons, that the Messenger who brought it had a Reward of 20*l.* for his Pains. The Letter from the General was sent up by the famous Hugh Peters, one of his Chaplains; who acquainted their Lordships with the several Providences of God to the Army; as likewise with the present Condition of the Enemy, and what Prisoners they had taken at Dartmouth: And that there were Endeavours to carry the Prince beyond the Sea; as also of the Activity and Unity of the Army under Sir Thomas Fairfax. He likewise presented to the House divers Colours of Horse taken at Bovy-Tracy, and others taken in Dartmouth: A Popish Altar-Stone and a Mass-Book, and several Papers and Letters taken in the Governor's Study: That two of the Prisoners, viz. the Earl of Newport and Mr. Denham, Son to the late Baron Denham, who had been serviceable to the General in gaining of the Forts which held out at Dartmouth, after the Town was taken, were sent up, upon their Parole to render themselves Prisoners within ten Days: And further, that, by Command of the General and Council of War, he was commanded to request, that the Ar-

O 3

my

An. 21. Car. I.
1645.

January.

For which that
General receives
great Acknow-
ledgment from
both Houses.

my might be forthwith recruited, and the Cloaths that are provided speeded to them, they having yet received none of them. Hereupon

Both Houses ordered a *Letter* to be sent to Sir Thomas Fairfax, to take Notice of his great Services, and of his Expressions and Affections; and to acquaint him what Esteem the Houses had of them; and what they had done in Consideration of them.

The Commons referred it to the Committee of the Army, to consider how the 5000 *l. per Annum*, Land of Inheritance, by former *Vote* ordered to be bestowed upon Sir Thomas Fairfax General, may be speedily settled upon him and his Heirs for ever, and he be put into the present Possession of it; and that the Committee do bring in an *Ordinance* to this Purpose with all convenient Speed.

It was also referred to the Committee of the *West*, to take Consideration of Mr. Peters, for his present Charge and Necessities, and for a certain future Subsistence, in some convenient Proportion considerable to his Services and Affections.

Letters from the *English Commissioners* residing in the *Scots Army* before *Newark* were read; but they give no Account of the Progress of the Siege, and are only on the Provisions assessed by their Warrants, and brought in from all the neighbouring Counties, for the Support of the *Scots Army*.

Jan. 24. The Committee of both Kingdoms acquainted the Lords, that one from *Oxford* informed them, That he heard there the King should tell the *Junto* that he would come to *London*, if he was sure to be shot to Death as soon as he came there. But no further Notice is taken of this extraordinary Piece of Intelligence.

Jan. 26. Another *Letter* from the King was this Day presented to the House, and read. It was

Mr. Whitlocke writes, That Mr. Peters had 100 *l. per Annum* settled on him and his Heirs, out of the Earl of Worcester's Estate. — But it appears, by the *Journals*, to have been 200 *l.* out of his Son's, the Earl of Glamorgan.

a further Reply to the Parliament, and was as An. 21. Car. I.
follows : 1645.

January.

For the SPEAKER of the House of PEERS *pro Tempore*. To be communicated to the two Houses of Parliament at *Westminster*, and to the Commissioners of the Parliament of Scotland.

CHARLES R.

THE procuring Peace to these Kingdoms by Treaty is so much desired by his Majesty, that no unjust Aspersions whatsoever, or any other Discouragements, shall make him desist from doing his Endeavour therein, untill he shall see it altogether impossible: And therefore he hath thought fitting so far only to make Reply to that Paper or Answer which he hath received of the 13th of this Instant January, as may take away those Objections which are made against his Majesty's Coming to Westminster, expecting still an Answer to his Messages of the 15th and 17th, which he hopes by this Time have begotten better Thoughts and Resolutions in the Members of both Houses. And

The King's Reply, Jan. 24, to the Parliament's last Answer of Jan. 13.

First, Therefore, whereas in the said last Paper it is objected as an Impediment to his Majesty's Personal Treaty, That much innocent Blood hath been shed in this War by his Majesty's Commissions, &c. this he will not now dispute, (it being apparent to all the World by whom that Blood hath been spilt) but rather presseth that there should be no more; and, to that End only he hath desired this Personal Treaty, as judging it the most immediate Means to abolish so many horrid Confusions in all his Kingdoms. And it is no Argument to say, That there shall be no such Personal Treaty because there have been Wars, it being a strong Inducement to have such a Treaty to put an End to the War.

Secondly, That there should be no such Personal Treaty, because some of his Irish Subjects have repaired to his Assistance in it, seems an Argument altogether as strange as the other; as always urging that there should be no Physick because the Party is sick:

An. 21. Car. 1.
1645.

January.

sick: And in this Particular it hath been often observed unto them, That those whom they call Irish, who have so expressed their Loyalty to their Sovereign, were indeed, for the most Part, English Protestants that had been formerly sent into Ireland by the two Houses; impossibilitated to stay there any longer by the Neglect of those that sent them thither, who should there have better provided for them. And for any foreign Forces; it is too apparent that their Armies have swarmed with them, when his Majesty hath had few or none.

And whereas, for a third Impediment, it is alledged, That the Prince is in the Head of an Army in the West, and that there are divers Garrisons still kept in his Majesty's Obedience, and that there are Forces in Scotland; it must be as much confessed, as that as yet there is no Peace; and therefore it is desired that, by such a Personal Treaty, all these Impediments may be removed. And it is not here amiss to put them in mind, how long since, his Majesty did press a Disbanding of all Forces on both Sides, the Refusing whereof hath been the Cause of this Objection. And whereas Exception is taken, That there is a Time limited in the Proposition for his Majesty's Personal Treaty, thereupon inferring that he should again return to Hostility; his Majesty protesteth, That he seeks this Treaty to avoid future Hostility, and to procure a lasting Peace; and if he can meet with like Inclinations to Peace in those he desires to treat with, he will bring such Affections and Resolutions in himself as shall end all these unhappy bloody Differences.

As for those Engagements which his Majesty hath desired for his Security; whosoever shall call to Mind the particular Occasions that inforced his Majesty to leave his City of London and Westminster, will judge his Demand very reasonable and necessary for his Safety. But he no way conceiveth how the Lord Mayor, Aldermen, Common Council, and Militia of London, were either subject or subordinate to that Authority which is alledged, as knowing neither Law nor Practice for it; and if the two Armies be, he

believes it is more than can be paralleled by any former Times in this Kingdom. Nor can his Majesty understand how his Majesty's seeking of a Personal Security can be any Breach of Privilege; it being more likely to be infringed by hindering his Majesty from coming freely to his two Houses.

An. 21. Car. I.
1645.

January.

As for the Objection, That his Majesty omitted to mention the settling Religion, and securing the Peace of his native Kingdom, his Majesty declares, That he conceives it was included in his former, and hath been particularly mentioned in his latter Message of the 15th present: But, for their better Satisfaction, he again expresseth that it was, and ever shall be, both his Meaning and Endeavour in this Treaty desired; and it seems to him very clear that there is no Way for a final Ending of such Distractions as afflict this Kingdom, but either by Treaty or Conquest; the latter of which his Majesty hopes none will have the Impudence or Impiety to wish for: And for the former, if his Personal Assistance in it be not the most likely Way, let any reasonable Man judge; when, by that Means, not only all unnecessary Delays will be removed, but even the greatest Difficulties made easy: And therefore he doth now again earnestly insist upon that Proposition, expecting to have a better Answer upon mature Consideration. And can it be imagined that any Propositions will be so effectual, being formed before a Personal Treaty, as such as are framed and propounded upon a full Debate on both Sides? Wherefore his Majesty, who is most concerned in the Good of his People, and is most desirous to restore Peace and Happiness to his three Kingdoms, doth again instantly desire an Answer to his said former Messages, to which he hath hitherto received none.

Given at our Court at Oxen the 24th of January, 1645.

Jan. 27. Cromwell's Command in the Army, as Gen. Cromwell's Lieutenant-General of the Horse under Sir Thomas Fairfax, having been prolonged from Time to Time, Command in the Army further continued,

An. 21. Car. 1.
1645.

January.

Time, this Day an *Ordinance* was made for adding six Months more to his Commission, at the Expiration of the present; from which Time we do not find that he ever gave himself the Trouble to apply for any farther Lease of his Power.

Intercepted Letters, relating to the Earl of Glamorgan's Negotiations in Ireland, laid before the Parliament.

The *Lords Journals* inform us, That several Papers relating to the Affairs of *Ireland*, had been lately transmitted to Parliament; from whence it appeared to both Houses, That the King, by the Means of Lord *Herbert*, had enter'd into a Negotiation with the Rebels in that Kingdom, for bringing over 10,000 of them to his Assistance, in reducing the Parliament of *England*. This Nobleman was the eldest Son and Heir apparent of the Marquis of *Worcester*; and tho' he is stiled in the *Journals* only Lord *Herbert*, yet the King addressed his Letters to him, in the Lifetime of his Father, as Earl of *Glamorgan*; which Title he usually bore, there now remaining in the Signet-Office a Bill under the Royal Sign Manual at *Oxford*, (if a Patent did not pass the Great Seal thereupon) for his being created Earl of *Glamorgan*, and Baron *Beaufort* of *Caldecot-Castle*, in the County of *Monmouth*.

In order to account how the Houses got into Possession of Papers of such Consequence, it will be necessary to remember That, in *July* this Year, the Town of *Sligo* was taken by the *English*, and a Garrison placed there. In *October* following the *Irish* endeavoured to retake it, but were defeated in that Attempt, and drove back with great Execution. Amongst the Slain was the Archbishop of *Tuam*, the Rebels President of *Connaught*, and one of their supreme Council of *Kilkenny*, who attended their Army at this Time to visit his Diocese, and to execute an Order for the Arrears of his Bishoprick. Amongst his Baggage were found a *Bull* of the Pope's, and several Letters between him and his Agents from *Rome*, *Paris*, &c. with a Copy of certain Articles of Agreement between the

the Earl of Glamorgan and some of the chief Rebels touching Clergy-Livings, together with the Earl's Oath relating to it.

An. 27. Car. I.
1645.

January.

These Papers were printed by Order of Parliament, and demand our Notice; as the Discovery and Seizure of them gave Occasion to many very remarkable *Votes, Orders, and Messages*. They were published under this Title, *The Earl of Glamorgan's Negotiations and colourable Commitment in Ireland demonstrated; or the Irish Plot, &c.*

When the forementioned Negotiation came to be known, the Earl of Glamorgan was committed to Prison by the Lord Digby, one of the principal Secretaries of State, then in Ireland, who wrote the following Account of it to Secretary Nicholas:

My good Brother,

YOU will receive by this Dispatch a particular Account, from my Lord-Lieutenant, of the State of the Treaty here, and of those Conditions upon which he was hopeful suddenly to have concluded such a Peace as would have afforded his Majesty powerful and timely Aids from this Kingdom, had not the unfortunate Madnes (for I can give it no other Name) of my Lord of Glamorgan, and the necessary Proceedings thereupon, cast all Things back into a Posture as uncertain and more dangerous than ever. You will receive from my Lord-Lieutenant and the Council here, a punctual Relation of the Matter of Fact; and it is referred to me to convey unto you, and by you to his Majesty, the Circumstances and Reasons of the whole Proceeding against his Lordship.

Lord Digby's
Letter to Secretary Nicholas,
relating thereto.

About ten Days since, Matters of the Treaty growing near to a Conclusion, and in Confidence thereof Preparations being made by my Lord of Glamorgan and the Irish, as they assured us, for the speedy sending over of 3000 Men for the Relief of Chester, which were to be made up 10,000 before the Beginning of March, it was thought necessary that we should

An. 21. Car. 1.
1645.

January.

should confer with the said Earl of Glamorgan and some of the Irish Commissioners; to the end that, before my Lord-Lieutenant's final Consent to the Articles of the Treaty, the Business of the King's Supply might be reduced from Discourse to a Certainty, and directed in the most advantageous Way for his Service: To which End (we little suspecting then what was since discovered) the said Earl of Glamorgan, and some of the Irish Commissioners then at Kilkenny, were earnestly invited hither both by my Lord-Lieutenant and myself.

Upon Monday last, the Day before the said Earl of Glamorgan was expected in Town, my Lord-Lieutenant received out of the North, from an honest and well-affected Person, the Copy which is sent you of my Lord of Glamorgan's Articles and Oath with the confederate Catholics, assured so have been found in the titular Bishop of Tuam's Pocket, killed in October last at Sligo. At first the Thing appeared so impossible, that we were apt to think it a Forgery and Plot of the Parliamentary Rebels against the King; 'till considering the Circumstances, Formalities, and Punctualities thereof, we grew to apprehend somewhat more in the Matter; and, soon after, a second and third Copy of the same coming to other Persons, all with Letters to the Effect of this inclosed, it was then thought high Time to take the Business into most serious Consideration: Which being done by my Lord-Lieutenant and myself, assisted by some of the wisest and best affected Persons here, we soon concluded, That if these Things were once published, and that they could be believed to be done by his Majesty's Authority, they could have no less fatal an Effect than to make all Men, so believing, conclude all the former Scandals cast upon his Majesty, of the inciting this Irish Rebellion, true: That he was a Papist and designed to introduce Popery, even by Ways the most unkingly and perfidious; and, consequently, that there would be a general Revolt from him of all good Protestants with whom this Opinion could take Place.

Now

Now when we considered the Circumstances convincing the Truth of this Transaction on my Lord of Glamorgan's Part, and how impossible almost it was for any Man to be so mad as to enter into such an Agreement, without Powers from his Majesty; and there being some Kind of a formal Authority vouched in the Articles themselves, we did also conclude, That probably the greatest Part of the World, who had no other Knowledge of his Majesty than by outward Appearances, would believe this to be true; and do according to that Belief, unless his Majesty were suddenly and eminently vindicated by those who might justly pretend to know him best. Upon this Ground it was also concluded by us, That less than an Arrest of the Earl of Glamorgan, upon Suspicion of High Treason, could not be a Vindication of his Majesty eminent or loud enough; and that this Part could not properly, nor effectually, be performed by any other Person than myself, both in regard of my Place and Trusts near his Majesty: That the Business of Ireland had passed, for the most Part, through my Hands: That I attended his Majesty about the Time of the Date of his Majesty's pretended Commission: That since that Time I had, by his Majesty's Command, written to the Irish Commissioners a Letter, whereof I send you a Copy, so diametrically opposite to the said Earl's Transactions: And, lastly, in regard that my Lord-Lieutenant, to whom otherwise his Majesty's Vindication in this Kind might properly have belong'd, was generally thought to be unworthily cozened and abused in the Matter, in case there were any such secret Authority given by his Majesty to the Earl of Glamorgan.

This being our unanimous Judgment of what was fit to be done, and by whom, the only Question then remaining was to the Point of Time; in which we were also of Opinion, That if it were deferred till the Business, growing publick otherwise, should begin to work its Mischief, his Majesty's Vindication would lose much of its Force, and be thought rather applied to the Notoriety than to the Impiety of the

An. 21, Car. I.
1645.

January.

An. 21. Car. 1.
1645.

January.

the Thing; and rather to the pernicious Effects, than to the detestable Cause itself: Notwithstanding, I must confess unto you, that the Consideration of frustrating the Supplies of 3000 Men which were so confidently affirmed to be in Readiness for the Relief of Chester, in case the Condition of that Place could not bear the Delay which this might occasion, wrought in us a very great Suspension of Judgment, whether the Proceedings against my Lord of Glamorgan should not be forborne till that so necessary Supply were sent away. But the Case being more strictly examined, we found, first, That, by the Lord of Glamorgan's Oath, the Forces were not to be hazarded till his Majesty's Performance of the said Earl's Conditions. And, 2dly, That the said Supply was never intended by my Lord of Glamorgan and the Irish, till the Articles of Peace were consented to; which the Lord-Lieutenant durst in no wise do, without a preceding Vindication of the King's Honour, since this Transaction of my Lord of Glamorgan's was known unto him, and known to be known unto him, by those who wanted neither Art nor Malice to make Use of it. So that, the necessary Forbearance to conclude the Treaty frustrating as much the Relief of Chester as the sudden and vigorous Proceedings against my Lord of Glamorgan could do, our Resolutions did, in the End, determine upon that Course; when, at the Instant, to remove all Objections, Information was brought us, That the Thing was already public throughout the Town, and began to work such dangerous Effects as, in truth, I do not believe that my Lord-Lieutenant, or any of the King's faithful Servants, could have been many Hours safe in the Delay of this his Majesty's and their Vindication: Which has now been so seasonably applied, as that it hath wrought here not only a general Satisfaction in all moderate Men, but even such a Conversion in many less well-inclined, that whereas, before, a Peace with the Irish, even upon those unavoidable Conditions upon which my Lord-Lieutenant must needs within few Days have concluded it, would hardly

hardly have been published in this Place without very much Danger, Men's Minds are so secured and settled by this Proceeding, as that I believe the Peace now would be embraced upon those, and perhaps upon harder Terms, without much Mutiny or Repining.

An. 21. Car. I.

1645.

January.

This being so, our chief remaining Fear is, lest what has been done against my Lord of Glamorgan should so far incense the Irish, as to drive them to sudden Extremes; Things here, on his Majesty's Part, being in so ill a Condition to enter again upon a War. Unto this Danger the best Preventives we could think of are applied; this inclosed Letter, written to my Lord of Muskerry by my Lord-Lieutenant; apt Persons employed to Kilkenny, to acquaint them with the Reasons and Necessities of this Proceeding; and, lastly, the Articles of Peace sent unto them, with my Lord Lieutenant's Assent, in the very Terms proposed and acquiesced in by themselves in the last Results of this long Treaty; which, in all Probability, will have one of these two Effects, either to make them conclude a Peace, notwithstanding this intervening Accident, whereby Chester may be speedily relieved, and his Majesty further supplied this Spring; or make it break so foully on their Side, as to divide from them the most considerable of their Party.

Whatever the Event be, my Lord-Lieutenant and I shall comfort ourselves with this Satisfaction, that we have done what belonged to Men of Honour, faithful to their King and to their Religion, and as wisely as ours and our best Friends Understanding could direct us; leaving the rest to God Almighty, whom we beseech to direct his Majesty to that Course herein on his Part, which may be correspondent to our faithful Endeavours; and that he will bless them with as good Effects upon the Minds of all honest Men towards his Majesty's Vindication in that Kingdom, as I make no Doubt but what we have done will have in this, when seconded and pursued by those further Directions from his Majesty, which I am sure his own Wisdom and princely Indignation

224 The Parliamentary HISTORY

An. 21. Car. I. to find his Honour, Conscience, and Piety, thus infamously traduced, will dictate unto him, without further Advice from

1645.

January.

Yours

Dublin, Jan. 4, 1645.

GEORGE DIGBY.

P. S. I believe you will be as much startled as I was, to find the Signet mentioned in my Lord of Glamorgan's Transactions; but it seems that was mistaken, and that he now pretends to some Kind of Authority under the King's Pocket Seal, which I certainly believe to be as false as I know the other.

Soon after the Earl of Glamorgan's Commitment, he wrote the following Letter to his Lady on that Occasion :

My Dearest Heart,

The Earl of Glamorgan's to his Lady ;

I Hope these will prevent any News which shall come unto you of me, since my Commitment to the Castle of Dublin; to which, I assure thee, I went as cheerfully and as willingly as they could wish, whosoever they were, by whose Means it was procured; and should as unwillingly go forth, were the Gates both of the Castle and Town open unto me, untill I were cleared, as they are willing to make me unserviceable to the King, and lay me aside, who have procured for me this Restraint. When I consider thee a Woman, as I think I know you are, I fear lest you should be apprehensive; but when I reflect that you are of the House of Thomond, and that you were once pleased to say these Words unto me, That I should never, in Tenderness of you, desist from doing what, in Honour I was obliged to do, I grow confident that in this you will now shew your Magnanimity; and, by it, the greatest Testimony of Affection that you can possibly afford me: And am also confident that you know me so well, that I need not to tell you how clear I am, and void of Fear, the only Effect of a good Conscience; and that I am guilty of nothing that may testify one Thought of Disloyalty to his

his Majesty, or what may stain the Honour of the Family I come of; or set a Brand upon my future Posterity. Courage, my Heart! were I amongst the King's Enemies you might fear; but being only a Prisoner amongst his Friends and faithful Subjects, you need doubt nothing but that this Cloud will be soon dissipated by the Sunshine of the King my Master; and did you but know how well and merry I am, you would be as little troubled as myself, who have nothing that can afflict me, but lest your Apprehension might hurt you; especially since all this while I could get no Opportunity of sending, nor yet by any certain probable Means, but by my Cousin Bruerton, Mr. Mannering's, our Cousin Constable of the Castle, and my Lord-Lieutenant's Leave: And I hope you and I shall live to acknowledge our Obligation to them, there being nothing in this World that I desire more, than you should at least hear from me: And believe it, Sweet-Heart, were I before the Parliament in London, I could justify both the King and myself in what I have done: And so I pray acquaint my Father, who, I know, is so cautious that he would hardly accept a Letter from me; but yet I presume humbly to ask his Blessing, and as heartily I send mine to pretty Mall; and I hope this Day or Tomorrow will set a Period to my Business, to the Shame of those who have been the Occasioners of it. But I must needs say, from my Lord-Lieutenant and the Privy-Council here, I have received as much Justice, Nobleness, and Favour, as I could possibly expect. The Circumstances of these Proceedings are too long to write unto you; but I am confident all will prove to my greater Honour; and my Right Honourable Accuser, my Lord Digby, will be at last rectified, and confirmed in the good Opinion which he is pleased to say he ever had of me hitherto, and as the greatest Affliction he ever had, to do what his Conscience inforced him to; and indeed did wrap up the bitter Pill of the Impeachment of Suspicion of High Treason in so good Words, as that I swallowed it with the greatest Ease in the World; and it hath hitherto had no other Operation, than that it hath

An. 21. Car. I.
1645.

January.

purged Melancholy; for as I was not at the present any way dismay'd, so have I not since been any way at all disheartened: So I pray let not any of my Friends, that's there, believe any thing untill ye have the perfect Relation of it from myself. And this Request I chiefly make unto you, to whom I remain a most faithful and most passionately devoted Husband and Servant,

GLAMORGAN.

Remember my Service to my Brother, my Cousin Brown, and the rest of my good Friends.

Many Expressions in the foregoing *Letters* seem to us of so great Consequence as not to be abridged without Injury; but, for Brevity's Sake, we have contented ourselves with an Abstract of the other *Papers*, as being more Matter of Form; and this the rather because they are all printed at large in the *Collections of the Times*.

Abstracts of other Papers relating to the same Subject.

'In the Beginning of the Earl of Glamorgan's *Treaty*, he sets forth the Authority granted him by the King, under his Signature Royal, to treat with the confederate Roman Catholicks in *Ireland*, on such Matters as the Lord-Lieutenant cannot at present be seen in, as not fit for his Majesty at present to own publickly; wherefore he was to act with all possible Secrecy: But whatever he engages for, the King promises, on the Word of a King and a Christian, to ratify. Dated from *Oxford*, March 12, 1644.'

The following *Articles* were agreed, August 25, 1645, between the Earl of Glamorgan, in behalf of his Majesty and his Successors, and the Viscount Mountgarret, Lord President of the Supreme Council of the Confederate Catholicks, and the other Commissioners:

1. 'That the *Roman Religion* should be publickly exercised in *Ireland*.
2. 'That the Roman Catholicks enjoy all the Churches they have possessed at any Time since October 23, 1641.

3. 'That
- Husbands*, Fol. Ed. p. 732; *Rushworth*, Vol. VI. p. 238.

3. ' That they be exempt from the Jurisdiction of the Protestant Clergy, and not molested for the Exercise of their Jurisdiction over their Catholick Flocks.

An. 21. Car. I.
1645.
January.

4. ' That an Act be passed in *Ireland* to repeal all Laws, and take off all Incapacities and Penalties, made against Roman Catholics; so that they not only enjoy the free Exercise of their Religion, but be capable of all public Trusts.

5. ' That neither the Marquis of *Ormond*, or any future Lord-Lieutenant, give them any Disturbance.

6. ' The Earl engages the King's Royal Word to confirm all these Articles.

7. ' The Commissioners shall engage the Public Faith of the Kingdom to send 10,000 Men, under the Earl, to serve his Majesty.'

Other Articles were also signed, wherein the Earl of *Glamorgan* covenants, ' That the Roman Catholick Clergy shall for ever hold all such Lands, Tenements, Tythes, and Hereditaments, by them respectively enjoyed within *Ireland* since *October 23, 1641*; and all other Lands and Emoluments belonging to the Clergy in that Kingdom, other than such as are actually enjoyed by the Protestant Clergy: And the Lords *Mountgarret* and *Muskerry*, and the rest of the Council, grant, on behalf of the confederate Catholics, that two Parts in three of these Emoluments granted to the Clergy, be applied for three Years to the Use of the Army in his Majesty's Service, and only one third Part reserved for the Use of the Clergy. The like Disposition to be renewed by the Clergy, from three Years to three Years, during the War.'

About the Time also of the before-mentioned Battle of *Sligo*, *John Baptist Rinuccini*, the Pope's Nuncio, and Archbishop of *Fermo*, arrived in the River of *Kilmare*, in a Frigate of twenty-one Guns, with twenty-six Italians of his Retinue, besides Regular and Secular Priests; bringing, as was said, besides Apostolical Benedictions, some

An. 27. Car. 1.
1645.

January.

Arms, Ammunition, and *Spanish Gold*. In acknowledgment whereof, the Supreme Catholick Council made an Address to the Pope, *Jan. 7*, rendering him their humble Thanks for sending them so illustrious a Nuncio, whom they receive with the highest Joy, especially informing them of his Holiness's Affection to them and their Cause; hoping that, by the Support of his Benediction, Counsel and Assistance, the Catholick Religion may be restored in *Ireland*.

The King, in order to vindicate himself from so high a Charge as seem'd to arise against him from the foregoing Papers, sent another *Message* to the Parliament, which was read in the House of Lords the 31st of this Month; and in which were contained other Proposals for *Peace*, as follows:

For the SPEAKER of the House of PEERS *pro Tempore*. To be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

The King's
Message in Vin-
dication of him-
self; with far-
ther Proposals of
Peace.

HIS Majesty having received Information, from the Lord-Lieutenant and Council in Ireland, That the Earl of Glamorgan hath, without his or their Directions or Privy, entered into a Treaty with some Commissioners of the Roman Catholick Party there, and also drawn up and agreed unto certain Articles with the said Commissioners, highly derogatory to his Majesty's Honour and Royal Dignity, and most prejudicial unto the Protestant Religion and Church there in Ireland; Whereupon the said Earl of Glamorgan is arrested, upon Suspicion of High Treason, and imprisoned by the said Lord-Lieutenant and Council, at the Instance and by the Impeachment of the Lord Digby, who (by reason of his Place and former Employment in these Affairs) hath best know how contrary that Proceeding of the said Earl hath been to his Majesty's Intentions and Directions, and what great Prejudice it might bring

to his Affairs, if those Proceedings of the Earl of Glamorgan should be any ways understood to have been done by the Directions, Liking, or Approbation of his Majesty:

An. 21. Car. I.

1645.

January.

His Majesty having, in his former Messages for a Personal Treaty, offered to give Contentment to his two Houses in the Business of Ireland, hath now thought fitting, the better to shew his clear Intentions, and to give Satisfaction to his said Houses of Parliament and the rest of his Subjects in all his Kingdoms, to send this Declaration to his said Houses, containing the whole Truth of the Business; which is,

That the Earl of Glamorgan having made Offer unto him to raise Forces in the Kingdom of Ireland, and to conduct them into England for his Majesty's Service, had a Commission to that Purpose, and to that Purpose only:

That he had no Commission at all to treat of any thing else, without the Privy and Directions of the Lord-Lieutenant; much less to capitulate any thing concerning Religion, or any Property belonging either to Church or Laity:

That it clearly appears by the Lord-Lieutenant's Proceedings with the said Earl, that he had no Notice at all of what the said Earl had treated and pretended to have capitulated with the Irish, untill, by Accident, it came to his Knowledge.

And his Majesty doth protest, That, untill such Time as he had Advertisement that the Person of the said Earl of Glamorgan was arrested and restrained, as is abovesaid, he never heard, nor had any Kind of Notice, that the said Earl had entered into any kind of Treaty or Capitulation with those Irish Commissioners; much less that he had concluded or signed those Articles so destructive both to Church and State, and so repugnant to his Majesty's public Professions, and known Resolutions.

And for the further Vindication of his Majesty's Honour and Integrity herein, he doth declare, That he is so far from considering any Thing contained in

An. 21. Car. 1.

1645.

January.

those Papers or Writings framed by the said Earl and those Commissioners with whom he treated, as he doth absolutely disavow him therein; and hath given Commandment to the Lord-Lieutenant and the Council there, to proceed against the said Earl, as one who, either out of Falseness, Presumption, or Folly, hath so hazarded the blemishing of his Majesty's Reputation with his good Subjects, and so impertinently framed those Articles of his own Head, without the Consent, Privy, or Directions of his Majesty or the Lord-Lieutenant, or any of his Majesty's Council there. But true it is that, for the necessary Preservation of his Majesty's Protestant Subjects in Ireland, whose Case was daily represented unto him to be so desperate, his Majesty had given Commission to the Lord-Lieutenant to treat and conclude such a Peace there as might be for the Safety of the Crown, the Preservation of the Protestant Religion, and no way derogatory to his own Honour and public Professions.

But to the end that his Majesty's real Intentions in this Business of Ireland may be the more clearly understood, and to give more ample Satisfaction to both Houses of Parliament and the Commissioners of the Parliament of Scotland, especially concerning his Majesty's not being engaged in any Peace or Agreement there; he doth desire, if the two Houses shall resolve to admit of his Majesty's Repair to London for a Personal Treaty, as was formerly proposed, that speedy Notice thereof be given to his Majesty, and a Pass or Safe-Conduct with a Blank sent, for a Messenger to be immediately dispatched into Ireland, to prevent any Accident that may happen to hinder his Majesty's Resolution of leaving the Managing of the Business of Ireland wholly to the two Houses, and to make no Peace there but with their Consent; which, in case it shall please God to bless his Endeavours in the Treaty with Success, his Majesty doth hereby engage himself to do.

And for a further Explanation of his Majesty's Intentions in his former Messages, he doth now declare, That if his personal Repair to London, as aforesaid, shall

shall be admitted, and a Peace thereon shall ensue, he will then leave the Nomination of the Persons to be intrusted with the Militia, wholly to his two Houses; with such Power and Limitations as are expressed in the Paper delivered by his Majesty's Commissioners at Uxbridge, the 6th of February, 1644, for the Term of seven Years, as hath been desired, to begin immediately after the Conclusion of the Peace, the disbanding of all Forces on both Sides, and the dismantling of the Garrisons erected since these present Troubles; so as, at the Expiration of the Time before-mentioned, the Power of the Militia shall entirely revert and remain as before.

An. 21. Car. I.
1645.
January.

And, for their further Security, his Majesty (the Peace succeeding) will be content that, pro hac vice, the two Houses shall nominate the Admiral, Officers of State, and Judges, to hold their Places during Life; or, quamdiu se bene gesserint, which shall be best liked, to be accountable to none but the King and the two Houses of Parliament.

As for Matter of Religion; his Majesty doth further declare that, by the Liberty offered in his Message of the 15th present, for the Ease of their Consciences who will not communicate in the Service already established by Act of Parliament in this Kingdom, he intends that all other Protestants, behaving themselves peaceably in and towards the Civil Government, shall have the free Exercise of their Religion according to their own Way.

And, for the total removing of all Fears and Jealousies, his Majesty is willing to agree, That, upon the Conclusion of Peace, there shall be a general Act of Oblivion and free Pardon passed by Acts of Parliament in both his Kingdoms respectively.

And, lest it should be imagined that, in the making these Propositions, his Majesty's Kingdom of Scotland and his Subjects there have been forgotten or neglected, his Majesty declares, That what is here mentioned touching the Militia, and the naming of Officers of State and Judges, shall likewise extend to his Kingdom of Scotland.

And

232 The Parliamentary HISTORY

An. 27. Car. I.

1645.

January.

And now, his Majesty having so fully and clearly expressed his Intentions and Desires of making a happy and well-grounded Peace, if any Person shall decline that Happiness by opposing of so apparent a Way of attaining it, he will sufficiently demonstrate to all the World his Intention and Design can be no other than the total Subversion and Change of the antient and happy Government of this Kingdom, under which the English Nation have so long flourished.

Given at the Court at Oxon, the 29th of January, 1645.

There is a *Memorandum* entered in the *Journals*, of some Blots that were in the original *Message* of the King's, now read, and now particularly specified: However, it was ordered by the Lords, as usual, to be communicated both to the Commons and the Scots Commissioners; but with this Declaration, That, to prevent all Misunderstanding, it was to be observed, *That these Blots were in the King's Letter, before it came to their Lordships.* They ordered, also, That all the Lords should have Notice to attend the House on the second of next Month, to consider of this last *Message*.

We cannot avoid remarking upon this Occasion, That Lord *Clarendon*, though he mentions the State of *Ireland* in 1641, 2, and 3, yet he takes no farther Notice of the Affairs of that Kingdom till 1647; thus passing over, in absolute Silence, this Charge against the King, in relation to the Negotiations of the Earl of *Glamorgan*; although, in the same Paragraph in which he tells us, 'That it cannot be expected, nor did he intend to mention all the memorable Actions in *Ireland*,^b' he yet gives us Reason to hope we might have found, in his History, all such Transactions of that Kingdom as had immediate Reference to, and Dependance on, the Differences between the King and the two Houses of Parliament of *England*. At the same Time his

^b History, Vol. III, 8vo Edit. p. 157.

his Lordship declares himself in this Manner concerning the Charge in general of the King's favouring the Rebels in *Ireland*, 'I can aver truly, upon as good Grounds as ever any Man spoke the Heart of another, that the King always look'd upon it as the most groundless, bloody, and wicked Rebellion that ever possessed the Spirits of that People; and was not more grieved at any one Circumstance of the domestic Distractions, than as it hindered him from chastising and taking Vengeance upon the other, which from his Soul he desired.' But

An. 2 f. Car. I.

1645.

January.

We find the following remarkable *Commission* granted, in 1644, to the Nobleman whose Negotiation now lies before us:—

CHARLES, *by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. to our Right Trusty and Right Well-beloved Cousin Edward Somerset, alias Plantagenet, Lord Herbert, Baron Beaufort of Caldecot, Grismond, Chepstow, Ragland, and Gower, Earl of Glamorgan, Son and Heir apparent of our Entirely beloved Cousin Henry Earl and Marquis of Worcester, greeting.*

HAVING had good and long Experience of your Prowess, Prudence, and Fidelity, we do make choice, and by these nominate and appoint you, our Right Trusty and Right Well-beloved Cousin *Edward Somerset, &c.* to be our Generalissimo of three Armies, *English, Irish, and Foreign*, and Admiral of a Fleet at Sea; with Power to recommend your Lieutenant-General for our Approbation, leaving all other Officers to your own Election and Nomination, and accordingly to receive their Commissions from you; willing and commanding them, and every of them, you to obey as their General, and you to receive immediate Orders from ourself only. And lest, through Distance of Place,

And his Commission to the Earl of Glamorgan, in 1644.

we

An. 21. Car. I.

1645.

January.

we may be misinformed, we will and command you to reply unto us, if any of our Orders should thwart or hinder any of your Designs for our Service. And there being great Sums of Money necessary for the carrying on so chargeable an Employment, which we have not to furnish you withall, we do by these empower you to contract with any of our loving Subjects of *England, Ireland, and Dominion of Wales*, for Wardships, Customs, Woods, or any our Rights and Prerogatives; we, by these, obliging ourselves, our Heirs and Successors, to confirm and make good the same accordingly. And for Persons of Generosity, for whom Titles of Honour are most desirable, we have entrusted you with several Patents under our Great Seal of *England*, from a Marquis to a Baronet, which we give you full Power and Authority to date and dispose of, without knowing our further Pleasure; so great is our Trust and Confidence in you, as that whatsoever you do contract for or promise, we will make good the same accordingly, from the Date of this our Commission forwards; which, for their better Satisfaction, we give you Leave to give them, or any of them, Copies thereof, attested under your Hand and Seal of Arms. And for your own Encouragement, and in Token of our Gratitude, we give and allow you henceforward such Fees, Titles, Preheminences, and Privileges as do and may belong unto your Place and Command above-mentioned, with Promise of our dear Daughter *Elizabeth* to your Son *Plantagenet* in Marriage, with three hundred thousand Pounds in Dower or Portion, most Part whereof we acknowledge spent and disbursed by your Father and you in our Service; with the Title of Duke of *Somerset* to you and your Heirs Male for ever. And from henceforward to give the Garter to your Arms, and at your Pleasure to put on the *George* and blue Ribbon; and for your greater Honour, and in Testimony

‘mony of our Reality, we have with our own An. 21. Car. I.
‘Hand affix’d our Great Seal of *England* unto 1645.
‘these our Commission and Letters, making them
‘Patents. January.

*Witness ourself at Oxford, the first Day of April,
in the twentieth Year of our Reign, and the
Year of our Lord One thousand six hundred
and forty-four.*

How far all these *Declarations, Messages, Let-
ters, and Commissions* agree with, or contradict,
the intercepted *Letters* from the King to the Mar-
quis of *Ormond*, as before-given^d, we presume
not to determine: However, this Affair occasion-
ed a *Vote* of both Houses, for appointing the Lord
Liste, eldest Son of the Earl of *Leicester*, and a
Member of the Commons, to be Lord-Lieutenant-
General of *Ireland* for one whole Year; that all
Treaties with the Rebels in that Kingdom should
be annulled; that the Prosecution of the War
against them should be managed by Parliament;
and that no Governor be placed there but by their
Consent.

Votes of both
Houses relating
to Ireland.

Thus much for the Business of *Ireland*:—
Proceed we now with the other Transactions of
Parliament.

The same Day, Jan. 31, the Lord *Roberts* re-
ported the Effect of a Conference lately held with
the House of Commons, ‘That they, having recei-
ved some Complaints out of the *North* concerning
the *Scots* Army, had thought fit to acquaint their
Lordships with the same. Accordingly,

Letters of Com-
plaint against the
Scots Army in
the North of
England.

A Letter from the Committee in *Cumberland*:
Another to Major *Cholmley*, from the Governor
of *Carlisle*: A Third from the Committee at
York: And a Fourth from the Committee resi-
ding with the Army before *Newark* were read.
And, first, the Letter from the Committee in *Cum-
berland*:

To

^d In this Volume, p. 93 to 100.

AN. 21. CAR. I. To the Hon. WILLIAM LENTHALL, Esq; Speaker,
 of the Hon. House of Commons in Parliament,
 London.

1645.

January.

S I R,

BEING well assured that the High Court of Parliament, in any Exigent of Distress, is as well a sure Sanctuary for the remotest, as other Parts of this Kingdom, our humble Desire is, That you will be pleased immediately to represent to the Hon. House of Commons the present Condition of this poor exhausted County of *Cumberland*, in these Particulars:

That notwithstanding the extreme and excessive Charge of the late Leaguer at *Carlisle*, far beyond the Proportion of this County; the free Quarter ever since taken by one Regiment of Horse; large Quantities of Provisions, according to the Commanders own Appointment, drawn from all the Parts of the County, and, in *August* and *September* last, carried into *Carlisle*, for the Accommodation of the *Scots* Forces; (notwithstanding the many great Losses and Detriments sustained by Occasion of the late Incurfion of the Enemy, and the constant Charge of some other Garrisons, necessarily maintained in this County by our Men, besides divers others in the Hands of the *Scots* Commanders) the Governor of *Carlisle* hath lately raised three Troops, which take up free Quarter, and exact from some Parishes weekly Provisions and Monies; promising them Immunity from all Cesses, and prohibiting them to pay any Cesses. The Officers of the Garrison at *Carlisle* now likewise force, from neighbouring Parishes, their weekly Maintenance; by which we sensibly discern a Decay, and find this County, especially the next adjacent Parts to *Carlisle*, not only disabled to perform the Service of the new Model; but we are confident these Parts will also, e're long, without some Refreshments, become, in other Respects, useless and unserviceable to the Public.

Now,

Now, for that the Want of Pay and necessary Means of Subsistence is the usual Pretext of the Governor, and other Scots Commanders, for their above-mentioned Exactions and Seizures; for the Removal of all Ground of Distaste and Difference, which these intolerable Oppressions may occasionally enforce betwixt them and us; for the Advancement of the common Cause, which we much desire; and that this poor County may be preserved from Ruin, and enabled to contribute its weak Proportion of Service and Assistance to the Public, we humbly desire that the Garrison at *Carlisle* may be from elsewhere maintained and provided for, and this wasting County speedily disburdened thereof; which to those Worthies, who we doubt not but, with a sympathizing Sense, look on the Grievances of each Part of the Body Politic, is most humbly recommended by

An. 21. Car. I.

1645.

January.

Your Honour's,

In all due Observance

Pennith, Nov. 28,

1645.

and Service, assured,

W^m BRISCOE

JO. BARWIS.

HEN. TOLSON.

MILES HALTON.

A Letter from the Scots Governor of *Carlisle*.

For my right assured Friend Major CHOLMLEY.

S I R,

Whereas it is signified unto us by my Lieutenant at * * * *, that ye are about to exact Cess-Money out of the Parish of *Brampston*, where one Company of mine lies, I believe that these poor Men are not able both to answer you in Cesses, and give free Quarter to my Company, which of Necessity they must have; being, for any Thing I know, all the Pay that may be expected; wherefore I could wish you would forbear to exact Cess-Money, of any Kind, where any

An. 21. Car. 1.

1645.

January.

any Companies of Horse or Foot are billeted ;
 but as for the new Model, I am heartily well
 content that you levy such Men and Horse as are
 to be had in that Parish, and I shall be ready to
 give my best Assistance to that Purpose ; but if
 any Cels-Money be exacted, ye may well expect
 it shall be by the strong Hand : Yet I could wish
 that, by this, the Correspondence that hath been
 hitherto entertained between you and me be not
 now dissolved. So, expecting your Courtesy
 herein, I remain

Your assured Friend,

Carlisle, Nov. 21,

1645.

W^m. KILHEAD.

A Letter from the Committee at York, addressed to the Speaker of the House of Commons.

S I R,

BESIDES many former Pressures upon this poor
 County, by the quartering of the Scots
 Forces here, we hold it our Duty to acquaint
 you with one particular Accident, the Con-
 sequences whereof we cannot but apprehend with
 more than ordinary Perplexity, if not timeously
 prevented by the Care and Wisdom of the Par-
 liament : There were the last Week certain Of-
 ficers, to the Number of 37, pretending them-
 selves to be under the Command of Lieutenant-
 General *Desley*, who, being quarter'd at *Tickhill*,
 offered several Abuses to the Inhabitants there,
 besides the Exactions of great Sums of Money,
 far beyond the Abilities of these poor Men, ha-
 ving formerly extremely suffered many other
 Ways. The poorer Sort of the Inhabitants, in
 the Sense of these Burdens, without any Order,
 rose together in the Night, seized upon the Per-
 sons of those Officers, their Horses and Arms ;
 and, perceiving them to be some *English*, some
Irish and *French*, not daring to carry them to the
 Scots Army to the Lieutenant-General, brought
 them to *Pontefract*, secured them there, and then

ac-

acquainted us with the whole Action: And for An. 27. Car. I.
that we were jealous of their Information, that 1645.
the Persons apprehended were not of the Scots-
Army, but rather some who, under Colour of
that Pretence, abused the Country to serve their
own Ends, we thought it Prudence to secure the
Men for a Time; and immediately address'd our
Letters to the Lieutenant-General of the Scots
Army, and gave Order for the Examination of
the Men in the mean Time; since that we find,
by Letters from the Lieutenant-General to the
Governor at *Pontefract* Castle, and other Letters,
the Business hath been resented under other No-
tions than what was intended. The Inhabitants
of the Town of *Tickhill* are in extreme Fears,
being threatened with Extremity of Revenge.
The Copies of the Informations we received, as
the Grounds of what we did, and of our Let-
ters thereupon, and of those which have come
to our Hand since by Occasion thereof, we hum-
bly present to your View and Judgment here
inclosed.

January.

What other sad Complaints we have had lately
of the Carriage of some other Forces of that Ar-
my in some other Parts of this County, we hum-
bly offer by the Copy of a Letter, come lately to
us by an understanding Gentleman in this County.
We are likewise bold to acquaint you, that there
are two Regiments more of the Scots Horse come
out of the *North* into this County, one into *Al-*
lertonshire, the other into *Cleveland*, where they
levy Monies in the Country at their Pleasure.

Sir, we have much to do already to raise Mo-
ney for our own Men, by reason whereof, as well
as the Burden of our own reduced Officers, they
are in continual Mutinies, and ourselves and the
Country in continual Danger; nor shall we pos-
sibly be able to provide any Pay for our Horses,
most whereof are now march'd towards *Newark*,
nor to raise the Provisions for any of the rest
which we are preparing to send thither: It is
therefore our earnest and humble Suit, that some
speedy

An. 21. Car. I.

1645.

January.

speedy Course may be taken to remove these intolerable Burdens from the Country, without which we shall not be able to raise any Money for our own Soldiers; and the People of the Country will be reduced to such miserable Straits, that we much fear that they will hardly be restrained from some violent Resistance, for the easing of themselves.

It would be a great Grief any Thing should fall out that, in the Misery of this County, should render the Kingdom more miserable than it is; and it shall be our utmost Care to prevent it; in the mean Time, according to our Duty, we humbly present the naked Condition of the County before you, to be made known to the House; and remain

Your affectionate Friends

York, Jan. 21, 1645. *and humble Servants,*

W ^m . COPLEY.	FRA. PIERREPOINT.
AR. INGRAM.	EDW ^d . RHODES.
ROB ^t . LEGARD.	WM. LISTER.
JOHN FARRER.	THO. ST. NICHOLAS.
GEO. TROTTER.	ROB ^t . BARWIS.
GEO. MARWOOD.	

Lastly was read a *Letter* from the Committee residing with the Army before *Newark*, which was also address'd to the Speaker of the House of Commons.

S I R,

WE have made several Addresses to the House, but as yet have not received any Answer: The extream great Consequence of the Service against *Newark* requires your most extraordinary Care; and the Necessity is such, as it must be speedy, lest it be too late.

On *Saturday* last the Muster of Horse, Foot, and Train of Artillery of the *Scotts* Army were taken all at one Time by such as we appointed, we ourselves being present. The Horse were above

‘bove 4000, the Foot near 3000, the Train small; but the Particulars shall be transmitted to you with all Speed. Amongst the Horse was a Regiment of the Lord *Balcarras*’s, newly come up, and two Troops of the late Col. *Devereux*’s Regiment. We hear of three Regiments of Horse more on this Side *York*, the Lord *Kirkcudbright*’s, the Lord *Dalhousie*’s, and Col. *Firzell*’s. These Parts are not able to maintain the Number of Horse here already.

‘This Day Lieutenant-General *Lesley* met us at *Nottingham*, and we are yet to expect the Committee of *Scotland* to join with us to order that Army. He demands of us Provisions for his Forces. We have given him an Account of what is done, which these *Warrants* inclosed will demonstrate; and have tendered to pay weekly, in Money, 833 *l.* 6 *s.* 8 *d.* to whom he will appoint, being the third Part of 2500 *l.* the other two Parts in Provisions; which, he saith, cannot make his Forces subsist; but we cannot possibly provide more. If you please to alter the Assessment we have made on the Counties, we beseech you it may be speedily done; if you approve of them, we desire the House to appoint some Persons immediately, from themselves, to see the Provisions speedily sent.

‘The County of *Nottingham* can little longer call upon you that they may subsist in their own Houses; the next Cries must be at your own Doors; and the Ruin of that County ends not there; but their Sufferings, and the Horse lying upon *Derbyshire*, if not prevented, renders the Public Service to the whole Kingdom against *Newark* unfeasible. Whatsoever any other Men may think or conceive, we on the Place know, too well, Provisions in these Counties to be exhausted, and they cannot be brought from other Parts to be effectual.

‘It is our Duty to be thus plain with you; and we doubt not but you, knowing thus much, will

An. 21. Car. I.

1645.

January.

provide all possible Remedy; and not, for the present to be only compassionately taken, and, after, to let other Business retard this which cannot stay. We pressed the Lieutenant-General that 2500 *l.* weekly, two Parts in Provisions, the third in Money, which we offered to pay, might be accepted till *Wednesday* the 28th of this Instant; by which Time your Directions might be received, which we assured him our *Letters* should most earnestly beseech of you. He would have consented to that Time, if we would have given our *Warrants* for a Regiment of Horse and some Troopers of his to go into *Derbyshire*: This we had no Authority to do, and it would have stopp'd the Provisions assailed by us on that County for the *Scots Army*.

When we came from *London*, we were assured that the Forces from the *Eastern Association* should be here before us. A Month is past, but there is not one Man come, nor on their March that we can hear of; and the Mortars ordered by the Committee of both Kingdoms to come from *Reading*, would, by God's Blessing, have made the strong Castle of *Belvoir* yours before this Day; and thereby 1000 Horse and Foot, now there, might have been employed against *Newark*.

If the Counties be not able to maintain the *Scots Army* long where it is, and if you find it difficult to get Provisions from other Places for their Stay there, we know no other Way than, tho' with extraordinary Charge, to finish this Service speedily. Money cannot be more thriftily expended, nor Forces better employed to ease those Counties in their Persons and Purses. Your being told, when this *Letter* is read, That Men and the Mortar-Pieces are coming, will not do our Business; but some from you must see the Men on their March, and the Mortar-Pieces on the Way; and certainly, Sir, the Time spent in seeing the Promises performed on the *South Side*

' Side *Trent*, and the relieving the *North Side*, An. 21. Car. I.
' will make *Newark* yours; and get the Prayers of 1645.
' many Thousands for you, who languish under
' the Burden of Misery. } January.

Grantham, Jan. 19, 1645. Your humble Servants,

W^m. PIERREPOINT. ED. ASCOUGH.
W^m. ARMYN. THO. HATCHER.

All these *Letters* being read, the Lord *Roberts* reported the following *Votes* made by the Commons thereupon:

' 1. That in the *Scots Army*, in this Kingdom, there shall not be above two Thousand Horse and one Thousand Dragoons, according to the *Treaty*.

' 2. That it be referred to the Members of both Houses, that are of the Committee of both Kingdoms, to communicate this *Vote* to the *Scots Commissioners*, and to take Care that the same be observed accordingly. The Commons resolve to reduce the Number of Horse in the Scots Army;

Next was read a *Paper* from the *Scots Commissioners*, presented on Occasion of the foregoing *Resolutions* of the Commons.

January 6, 1645.

' **W**HEN we were expecting that a speedy Which occasions
' and solid Course should have been laid a Remonstrance
' down for Maintenance of our Forces, which from their Com-
' were with so much Importunity invited by the missioners,
' Houses of Parliament to come before *Newark*,
' we hear nothing satisfactory concerning their
' Maintenance; but are surprized by the unexpect-
' ed *Resolutions* of the House of Commons for a-
' bridging their Number; which we conceived they
' would rather have desired to be increased, for
' the more effectual pursuing of that Work they
' were first and last called unto.

' The Engagements and Undertakings of the
' Kingdom of *Scotland* for this Kingdom, when
' the Parliament was in such a Condition, as, we
' think, no Prosperity will ever make them forget;

244 *The Parliamentary History*

An. 21. Car. I.
1645.

January.

the Time and Season of the Entry of those Forces into the Kingdom of *England*, and their Actions and sufferings sithence, which we desire may rather be remembred by the Hon. Houses of Parliament, than commemorated by us; and their constant Desires and Endeavours till this Day, amidst their own Troubles, to do the best Service they can to this Kingdom according to the *Solemn League and Covenant* of both Kingdoms: All these do forbid us to apprehend any Jealousies to be the Cause of this *Resolution* of the House of Commons.

We cannot conceive (when the Number of our Foot which entred this Kingdom is so much diminished, partly by their Sufferings, and partly by the necessary Returning of some of them into *Scotland*, for opposing those who have no other Controversy against us but our Assistance given to this Kingdom, and cannot be opposed and performed by Horse, but by Foot) that it can either stand with Reason or Equity, in such a Constitution of Affairs, or with the true Meaning of the *Treaty*, that there should not be above 2000 Horse and 1000 Dragoons in the *Scots* Army in this Kingdom; the specifying of which Number was, as the Words themselves do import, that the Number should not be under it; the Kingdom, at that Time, being unwilling to engage themselves for a greater Number than 3000 Horse and Dragoons; and not that the Number should not be above it, which we believe then would have been very acceptable; and, if the present Necessities of this Kingdom could have been foreknown, would not have been refused for the future.

When that the *Scots* Army did enter this Kingdom, their Number was about 3000 Horse and 500 Dragoons, and so continued without any Exception to the contrary till *Monday* last: And when afterwards the Earl of *Calendar* was invited by both Houses to come up for their Assistance, his Forces made a further Addition of Horse. And as, when the *Scots* Army did enter into this
King-

' Kingdom, there was a Necessity of great Strength An. 21. Car. I.
 ' of Foot for opposing the Enemy, who then had 1645.
 ' a very great Infantry; so afterwards, when, by
 ' the Blessing of God upon the Forces of both
 ' Kingdoms, the Enemies Strength was much di-
 ' minished, and they began to increase the Num-
 ' ber of their Cavalry, and turn themselves into a
 ' Flying-Army, it was necessary for the *Scots* Ar-
 ' my, for their Safety and Security, to increase
 ' the Number of their Horse; otherwise it had
 ' been altogether impossible for them either to pur-
 ' sue the Enemy going away, or to preserve them-
 ' selves from being starved, for Want of Victuals,
 ' upon their Approach.

January.

' When the Troubles of *Scotland* were increa-
 ' sed through the Invasion of the *Irish*, while we
 ' were assisting this Kingdom, some Regiments of
 ' our Foot were called Home for suppressing there-
 ' of; but all the Horse did continue in this King-
 ' dom, with the Approbation of the Parliament,
 ' for opposing of the Forces of the Enemy, which
 ' did consist most in Horse; and did good Service
 ' against them, in hindering their Recruits, and
 ' preventing their going *Northward* upon several
 ' Occasions. And we cannot understand why it
 ' should be subject to Exception now, or that the
 ' Diminution thereof should be pressed, they ha-
 ' ving lately expressed so great Forwardness to en-
 ' gage against the Enemy; and since the Lessening
 ' of their Number could not but render them con-
 ' temptible in the Eyes of their Enemies, and ex-
 ' pose them to daily Affronts and Injuries, we do
 ' therefore desire that a speedy Course may be ta-
 ' ken for their Maintenance; and that, without
 ' Prejudice to the *Treaty*, they may be paid ac-
 ' cording to their Musters, (which shall never be
 ' denied) to each Trooper 1 s. 6 d. and to each
 ' Foot-Soldier 6 d. whereof two Parts in Provisions,
 ' and a third Part in Money, and Half-pay to the
 ' Officers, which is the least can be demanded for
 ' their present Subsistence; and if the House of

An. 27. Car. 1.

1645.

January.

‘ Commons shall be pleased to insist upon that
 ‘ *Resolution* delivered to us Yesternight, we shall
 ‘ communicate the same to the Parliament of *Scot-*
 ‘ *land*, who no doubt will return such *Answer* as
 ‘ shall be agreeable to the *Treaty* and the Interest
 ‘ and Good of both Kingdoms; and, in the mean
 ‘ Time, we do expect that Care shall be taken
 ‘ for their present Maintenance.’

By Command of the Commissioners for the Parlia-
ment of Scotland,

JOHN CHIESLEY.

‘ The Lord *Roberts* farther reported, That Sir
 ‘ *John Evelyn*, upon this, did observe, That the Foot
 in the *Scots* Army were much abated, and not the
 full Number according to the *Treaty*; whereupon
 the House of Commons had offered to their Lord-
 ships the following *Reasons* why the *Scots* Horse
 should be reduced to the Number of the *Treaty*;
viz.

The Commons
 Reasons for such
 Reduction.

‘ By the *Treaty* of the 29th of *November*, 1643,
 concerning the bringing in of the *Scots* Army, it
 was agreed, That an Army should be there levied
 forthwith, consisting of 18,000 Foot, effective,
 and 2000 Horse and 1000 Dragoons, effective,
 with a suitable Train of Artillery to march into
England.

‘ By an *Order* of this House, bearing Date the
 22d Day of *June*, 1644, it was recommended by
 the Committee of both Kingdoms to the Kingdom
 of *Scotland*, as the Desires of both Houses, that the
 Forces already raised, and in raising, by the King-
 dom of *Scotland*, being, as it is reported, about
 10,000, be invited forthwith to come in for our
 Assistance.

‘ After this, that of *December* the 27th and
 31st were ordered; besides which several *Ordinan-*
ces were made for the Provision of the *Scots* Army
 in general, by Assessment on the several Counties,
 and Imposition upon Coals at *Newcastle*, but ne-
 ver any Distinction made of the first and second
 Army;

Army: Likewise 7000*l.* upon the Coals at *New-castle*, and 3000*l.* upon the Excise in all the *Northern* Counties, except the Excise upon Flesh and Salt in those Counties, and of *Hull*.

An. 21. Car. I.

1645.

January.

‘ The *Resolve* of the House of Commons was not for the abridging the Number of the *Scots* Forces, but for reducing the Number of Horse to that directed by the *Treaty*: And, as they shall never forget the Engagements and Undertakings of that Kingdom for this; so they are confident that Nation will remember the first and great Testimony of brotherly Affection, which was given them by this Parliament of *England*.

‘ That the Kingdom of *Scotland* could not send any Forces into this Kingdom without our Consent; and therefore what Number soever was agreed on by both Kingdoms was binding, and ought not to be exceeded.

‘ We do not know what the Number of Horse was, which first came into this Kingdom; nor that, when the Earl of *Calender*’s Horse came into this Kingdom, the whole Force of the *Scots* Horse then in *England* did exceed the Number of the first *Treaty*; considering that, in that Time, many of the first Horse were probably diminished.

‘ As no Force ought to have been brought into this Kingdom without our Consent, so no Alteration ought to have been made in the Condition of those Forces without our Approbation.

‘ That as it might seem reasonable to them to increase their Horse, when the Service required it; so, upon the same Reason, that Service being now most for Foot, they ought to be reduced to the Number of the *Treaty*.

‘ That, for the Security and Preservation of their Army, we did several Times send great Parties of *English* Horse to that Army; although the Body of the *Scots* Horse did march out of *England* into *Scotland* without our Privy or Consent.

‘ That these *Reasons* were intended as an Answer to that Part of the *Scots* Commissioners *Paper* which concern’d the supernumerary Horse in that Army,

An. 21. Car. I.
1645.

January.

Army, to which they desired their Lordships Concurrence, as also to the following *Order* :

Ordered by the and Commons assembled in Parliament, that it be referred to the Members of both Houses, that are of the Committee of both Kingdoms, to confer with the *Scots* Commissioners concerning that Part of their *Paper* of the 6th of *January* last, which concerns their supernumerary Horse; and to offer unto them the foregoing *Reasons*, why their Horse should be reduced to the Number of the *Treaty*; and such other *Reasons* as they shall think fit, for Maintenance of the *Vote* of the House of Commons of the 5th of this Instant *January*, That in the *Scots Army* in this Kingdom, there shall not be above 2000 Horse, and 1000 *Dragoons*, according to the *Treaty*.

The Lords, after Debate, order'd this *Report* concerning the *Scots Army* to be taken into Consideration on the *Monday Morning* next, the first Business.

But before this Affair came on, another Conference was reported to the Lords, the Effect of which was, That the House of Commons having taken into Consideration divers of the King's *Letters*, especially his last; they thought, if something was not presently done, the Parliament might suffer some Prejudice, in regard of the specious Pretences in that *Letter*; therefore the Commons had collected some *Propositions* for *Peace* out of the Bulk of the whole, to be presently sent to the King; the rest to be dispatched as soon as they conveniently might.

To which the
Lords agree.

The Numbers and Titles of these *Propositions* were then read, and the *Resolutions* of the Commons upon them; but the further Consideration of them the Lords deferred to the next Day.— Then that House proceeded to consider of the *Papers* lately reported from the Conference with the House of Commons, concerning the *Scots* Horse;

Horse; and the Question being put, 'That, in An. 21. Car. I.
' the *Scots* Army in this Kingdom, there shall 1645.
' not be above 2000 Horse and 1000 Dragoons,
' according to the *Treaty*;' it was resolved in the
Affirmative, the following Peers dissenting; the
Earls of *Lincoln*, *Essex*, *Suffolk*, *Bolingbroke*, *War-*
wick, and *Manchester*; the Lords *Roberts*, *Wil-*
loughby, *Berkeley*, *Bruce*, and *Dacres*.

February.

Next the foregoing *Order* brought up from the
Commons was read: But it was resolved, upon
the Question, not to agree with them in that *Order*.

The same Day the Commons took into Consi- Resolutions of
deration the King's *Letter* again, and came to the the Commons
following *Resolutions* upon it: on the King's

1. 'That the King's *Letter* hath given no Sa- Letter touching
tisfaction touching the Lord *Herbert*'s Authority to the Negotiations
negotiate with the Rebels in *Ireland*. with the Irish
Rebels, &c.

2. 'That a Copy of the Privy-Seal, and Ar-
ticles taken in the Bishop of *Tuam*'s Carriages,
shall be sent to the King; with the *Answer* to this
last *Letter*.

3. 'That, To-morrow Morning, the first Bu-
siness peremptorily, the King's last *Letter* shall be
taken into further Consideration: And that Mr.
Speaker put the House in mind thereof.' Accord-
ingly,

Feb. 3. The Commons made the following *Or-*
ders and *Resolutions* thereupon:

1. 'That it be left to the Committee that shall
be appointed to prepare an *Answer* to this *Letter*;
to observe the Contrarieties in this *Letter* to the
King's former Professions and Proceedings, con-
cerning *Ireland*; and to the Declaration he now
holds forth, in this *Letter*, of leaving the War and
Peace of *Ireland* to the Houses of Parliament.

2. 'That the Committee, in the *Answer* to this
Letter, shall take Notice of the King's avowing
the granting a Commission for raising and bringing
over of Rebels out of *Ireland*, to fight against the
Parliament of *England*.

3. 'That

An. 27. Car. 1.

1645.

February.

3. ' That, in this *Answer*, the Committee shall take Notice both of the Uncertainty of the Clause concerning the *Militia*, and that it is conditional: And that, in Answer to it, the Houses are sending a *Proposition*, which does fully express their own Desires.

4. ' That, as to the Clause of the General Officers and Judges, the *Answer* shall take Notice, That, in due Time, the Houses will present such Things unto his Majesty as shall be convenient thereupon.

5. ' That this *Letter* of the King's gives no Satisfaction in point of Religion.

6. ' That a Committee be appointed to prepare a *Declaration*, upon this *Letter* and the other *Letters* of the King, for the undeceiving of the People.'

Feb. 4. The Scots Commissioners presented another Complaint to the Lords, of the Hardships their Army suffered before *Newark*:

For the Right Hon. the SPEAKER of the House of PEERS pro Tempore.

My Lord,

The Scots Commissioners Complaint of Want of Pay for their Army before Newark.

' IT is above two Months since the Scots Army did, according to the Desires of both Houses, come before *Newark*; where, after the taking of *Muskham-Bridge*, they have, in the greatest Extremity of Weather, continued in very hard Duty on the one Side, and also assisted Colonel *Poyntz* on the other; and yet no effectual Course is taken for their Entertainment, but the Burden thereof hath been left upon these Parts of the County which formerly have been wasted and exhausted by the Enemy. This gives Occasion of Complaint, from the People, of Wants and Disorders in the Army; and greater Inconveniences may ensue, if not speedily prevented. We were in good Hopes that, when the Commissioners of both Houses did repair to that Army, a speedy Course would have been taken for their

Main-

‘ Maintenance, especially after the Muster; but
 ‘ as yet there hath been offered only an inconsiderable
 ‘ Proportion, which is no ways sufficient to
 ‘ afford them Subsistence; and some of the Provisions
 ‘ are appointed to be brought out of *Lancashire*, and other
 ‘ Places far distant, upon which the Army cannot depend
 ‘ for Relief.

An. 27. Car. I.
 1645.
 February.

‘ The Foot Soldiers have not received eighteen-penny-worth
 ‘ of Provisions weekly since their coming before *Newark*;
 ‘ and when the Quarter-Master-General, who is now the
 ‘ second Time sent hither on Purpose to represent the
 ‘ Necessities of the Army, did come from thence, there
 ‘ was not ten Pounds Worth of Provisions in the Magazine
 ‘ for the whole Army. If any should, in the Winter Season,
 ‘ be put to hard Duty, and the Means of Subsistence
 ‘ shall be withheld from them, it is easy to conjecture
 ‘ that nothing can follow but their inevitable Ruin before
 ‘ the Spring.

‘ We have, from Time to Time, constantly solicited the
 ‘ Houses of Parliament for their Maintenance; and we are
 ‘ ashamed that our many earnest Desires, in their Behalf,
 ‘ have not prevailed with the Houses for such an *Answer*
 ‘ as might have enabled us to have given a good Account
 ‘ of our Endeavours to those that sent us; and, in some
 ‘ Measure, give Satisfaction to the crying Necessities
 ‘ of the Soldiers, who are resolved to decline no Duty,
 ‘ nor Danger, that may advance the Service they are
 ‘ now engaged in at the Desire of the Houses: It is
 ‘ therefore again our earnest Request to the Houses of
 ‘ Parliament, That they would seriously lay to Heart
 ‘ the providing for that Army, and that they would
 ‘ extend the same Care to them as they do to their own
 ‘ Forces on the other Side of *Newark*, and grant unto
 ‘ them the same Allowances in Money and Provisions,
 ‘ that both may be enabled to prosecute the Public
 ‘ Service; which Things being perform’d, we do, in
 ‘ their Names, undertake that as strict Order and
 ‘ Discipline shall be observed there as ever
 ‘ hath

252 *The Parliamentary History*

An. 21. Car. 1. 1645. hath been in any Army within these Kingdoms ;
and, earnestly intreating you for a speedy Answer,
we remain

February.

Your Lordship's

Worcester-House,

Feb. 3, 1645.

Affectionate Friends,

and humble Servants,

LAUDERDALE.
BALMERINOC.
H. KENNEDY.

Chester taken.

Feb. 7. A Day of Thanksgiving was appointed for the giving up the strong City of *Chester* to the Forces of the Parliament. All the Ministers within the Lines of Communication, and ten Miles round them, were ordered to have timely Notice of this ; to the end they might stir up the People to a due Thankfulness both for the Seasonableness and the Greatness of the Mercy.

A long *Remonstrance*, by way of *Petition*, from the City of *London*, was presented to the Lords and read ; the main Drift of which was to desire the Parliament, in their new *Propositions* for *Peace*, to take Care of their particular Interests ; especially that the City *Militia*, with those of the neighbouring Counties, might be established in their Hands. All which will appear more fully in the Sequel.

2500l. per An.
settled on General
Cromwell.

An *Ordinance* of Parliament was this Day read in the House of Lords, and agreed to, for settling Estates, to the Value of 2500l. a Year, on *Oliver Cromwell*, Esq; Lieutenant-General of the Horse; as an Encouragement to him and others who shall discharge the like faithful Services to the Public. Part of the Lands thus settled were the Marquis of *Worcester's*, Lord *Herbert's* and Sir *John Somerses's*, his Sons, situate in *Hampshire* ; and the rest were made up out of the forfeited Estates of other Noblemen, who had adhered to the King against the Parliament.

Feb.

Feb. 9. The Scots Commissioners again addressed the Lords, for an *Answer* to their last Remonstrance of the miserable State of their Army before Newark; or whether they were to expect any *Answer* at all; that otherwise the Messenger sent from the Army might come back, and they knew what Account to return to those who sent them.

AN. 21. CAR. I.

1645.

February.

Feb. 11. The Earl of Warwick presented a List of Ships, belonging to the Navy of England, The State of the design'd for the next Summer's Expedition; English Navy. which since it shews the great Force the Parliament were then Masters of at Sea, we subjoin as follows:

King's Ships,	Commanders,	Tons,	Men,	Guns.
St. Andrew, —	William Batten, Vice-Admiral,	783	260	50
Rainbow, —	Tho. Trenchfield, Rear-Admiral,	731	240	44
James, —	Richard Blythe, sen.	875	260	50
Unicorn, —	Peter Andrews,	703	250	46
Victory, —	Benjamin Crandley,	721	226	44
Charles, —	Richard Swanley,	793	260	50
Leopard, —	Henry Bethell,	515	160	40
Convertine, —	John Mann,	619	180	40
Lion, —	Rob. Moulton, sen.	600	170	45
Garland, —	John Bowen,	567	170	40
Bonadventure, —	Walter Maynard,	557	170	36
Entrance, —	John Crowther,	539	160	40
Antelope, —	Edward Hall,	512	160	36
Swallow, —	William Somerster,	478	150	36
Expedition, —	Sir George Askew,	360	100	26
Providence, —	John Staynsby,	360	100	22
John, —	William Swanly,	366	110	28
Fellowship, —	William Penn,	366	110	28
Globe, —	Rich. Willoughby,	333	100	26
Mary-Rose, —	Phineas Pett,	321	100	28
Warwick, —	James Peacock,	300	90	20
Hector, —	Edward Elliot,	266	80	22
Cygnat, —	William Peak,	233	70	18
Sampson, —	John Pilgrim,	300	60	22
Hind, —	Anthony Young,	200	60	17

Carried over

3796

King's

254 The Parliamentary History

An. 27. Car. 1. *King's Ships, Commanders, Tons, Men, Guns.*
1645.

Brought over				3796
Star, ———	Robert Constable,	200	60	16
Greyhound, ———	John Coppin,	120	50	12
Roebuck, ———	—————	149	40	—
Crescent, ———	John Edwyn,	167	50	12
Dove, ———	William Hazard,	84	25	6
Tenth Whelp, ———	William Laurence,	186	60	18
Kentish Frigate, —	John Mildmay,	149	45	—
Rupert, ———	William Rowe,	133	40	9
Welcome Pink, ———	John Green,	133	40	10
Increase, ———	Rob. Moulton, jun.	133	40	—
Trial, ———	Robert Browne,	100	40	10
Royalist, ———	Owen Coxe,	100	40	—
Charles, ———	Robert Clerk,	50	20	6
Green Frigate, —	John Farmer,	—	20	6
Weymouth Frigate,	John Pierce,	—	40	—
Lilly Frigate, ———	John Lambert,	80	45	8
Swan Frigate, ———	Robert Clarke,	—	50	—
Nicodemus, ———	Thomas Pury,	80	45	10

Total of Men — 4546

<i>Merchant-Ships,</i>	<i>Commanders,</i>	<i>Tons, Men, Guns.</i>		
Constant Warwick,	John Gilson,	300	96	26
Discovery, ———	Thomas Plunkett,	350	100	28
True Love, ———	Jer. Coachman,	260	78	22
President Frigate, —	Peter Whitley,	250	80	26
Harry, ———	John Ellison,	300	90	24
Ark, ———	Robert Bramble,	200	60	16
Magdalene, ———	John Hosier,	200	56	16
Defiance, ———	John Whitley,	300	90	26
Thomas and Lucy,	—————	260	80	20
Moorcock, ———	Robert Philpot,	140	44	10
Samuel, ———	Edward Seymour,	280	75	24
Josselin, ———	James Moulton,	196	59	16
Lucy, ———	Elias Drew,	140	48	12
Hopewell, ———	Benjamin Trueman,	90	33	10
Messenger, ———	Thomas Scale,	120	40	10
Delight, ———	Thomas Wilts,	—	74	—
Hector, ———	————— Parkhurst,	300	70	20
Blessing, ———	————— Wenold,	220	60	18

Total of Men — 1233

Me-

Memorandum, Besides his Majesty's Ships before named, Order is given, by the Committee of Lords and Commons for the Admiralty and Cinque Ports, that all other serviceable Ships of the Navy Royal be graved, and fitted to go forth to Sea upon any sudden Exigent for the Defence of the Kingdom: And that the Masters, Wardens, and Assistants of *Trinity-House* shall give Order for graving and fitting for Sea, thirty other able Merchant Ships that may be also ready to be sent forth, upon any emergent Occasion, for the Kingdom's Safety.

An. 21. Car. I.
1645.
February.

Feb. 13. The Parliament having voted a Regiment of Horse, called *Sir Thomas Fairfax's Life-Guards*, useless; on applying to the General first, to have his Consent, they were disbanded, and a Regiment of Firelocks ordered to be raised and formed in their stead. There is an Estimate entered in the *Journals* of the whole Charge per Month, of maintaining such a Regiment; which may give the Reader a Notion of the Expence of a whole Army at that Time, and serve as a Contrast to the State of the Marine before given.

A LIST of the daily and monthly Pay of 500 Firelocks, with Officers necessary for the same, for the General's Guard; with the Pay of the Officers, according to the Entertainment of the Foot-Officers in the Army under Sir Thomas Fairfax.

GENERAL OFFICERS.

	per Diem.			per Mensem.		
	l.	s.	d.	l.	s.	d.
Major, — — —	0	9	0	12	12	0
Quarter-Master, —	0	5	0	7	0	0
Provost-Marshal, —	0	5	0	7	0	0
Surgeon, — — —	0	4	0	5	12	0
	1	3	0	32	4	0
				Three		

256 The Parliamentary History

An. 21. Car. 1.

1645.

February.

Three Companies of FIRELOCKS.

per Diem.

per Menssem.

	l.	s.	d.	l.	s.	d.
Captain, —	0	15	0	21	0	0
Lieutenant, —	0	4	0	5	12	0
Ensign, —	0	3	0	4	4	0
Two Serjeants, at 1s. 6d. each, }	0	3	0	4	4	0
Three Corporals and two Drums, }	0	5	0	7	0	0
at 1s. each,						
100 Soldiers, at 1s. each, }	5	0	0	140	0	0

According to which
Rate the Pay of
four such Com-
panies, each con-
sisting of 100
Men, exclusive
of Officers,

General Officers,

6	10	0	182	0	0
26	0	0	728	0	0
32	10	0	910	0	0
1	3	0	32	4	0

Sum Total

33	13	0	942	4	0
----	----	---	-----	---	---

Whereof there is
to be repited
upon the Public
Faith, accord-
ing to the *Ordi-
nance*, one third
of the Major's
Pay, which is
Of the Provost-
Marshal's Pay,
Of a Quarter-Ma-
ster's Pay,

0	3	0	4	4	0
0	1	8	2	6	8
0	1	8	2	6	8

Carried over

0	6	4	8	17	4
---	---	---	---	----	---

Brought

	per Diem	per Menssem	An. 21. Car. 1.
Brought over	0 6 4	8 17 4	1645.
And half Pay of each of the five Captains, at 7s. 6d. each per Diem,	1 17 6	52 10 0	February.
	2 3 10	61 7 4	

But to take off some Part of the excessive Charge of keeping so many Armies on Foot, a *Vote* had been passed by both Houses, for reducing the supernumerary Horse in the Scots Army to the Number agreed on by the first *Treaty*; which was 2000 Horse and 1000 Dragoons, as already observed.

The Parliament had no very material Business before them for some Days, except we mention the new *Propositions* for Peace, which were still carrying on in *Die ad Diem*, and many Conferences were held betwixt the two Houses about them, too tedious here to mention: We shall therefore postpone this Affair till we come to the Result of them all.

A Dispute arose also between the two Houses about a new *Ordinance* for Martial Law; which the Commons had sent up, and the Lords would not pass in the Manner and Form they had sent it: This Affair occasioned several Conferences; the Lords arguing, That this new Law struck at several of their Privileges; and concluded with this antient Adage, *Nolumus Leges Angliæ mutari*. The Commons were as resolute on their Side, so that nothing was yet concluded on between them, as to this Business.

The great Success of Sir Thomas Fairfax's Army in the West of England, induced the Parliament

An. 21. Car. I.

1645.

February.

ment to appoint a Committee of Members of the House of Commons to go down into *Devonshire* and *Cornwall*; for whose Direction the following *Instructions* were agreed on by both Houses. The Names of these Commissioners were Sir *John Bampffield* and Sir *John Northcote*, Barts. Sir *Samuel Rolle*, Sir *Edmund Fowell*, and Sir *John Young*, Knts. *Francis Buller*, *Anthony Nicholl*, *Francis Godolphin*, *Richard Erissey*, and *Thomas Arundel*, Esquires.

Instructions of
the Commons to
their Committee
appointed to go
into the West.

YOU are to repair, with all convenient Speed, into the said Counties of *Devon* and *Cornwall*, or either of them.

You, or any three or more of you, shall hereby have full Power and Authority, within the said Counties of *Devon* and *Cornwall*, to do and execute all such Matters and Things, as any Committee within the *Western Association* may or can do and execute, by virtue of any Authority granted them from both Houses of Parliament.

You, or any three or more of you, are hereby enabled to call before you such of the Inhabitants of the said Counties of *Devon* and *Cornwall* as you shall think fit; and to take Information from, and advise with them, and any of them, concerning the better and more perfect settling the said Counties in their Obedience to the Parliament; and the more easy and indifferent Raising of constant Pay for the Soldiers of those Counties, and the cutting off all unnecessary and superfluous Charges.

You are to visit, view, and examine the State of the Garrisons within the said Counties; and to consider what constant Force is necessary to be raised and maintained for their Defence; what the monthly Pay of the said Force will amount unto; how the same may be raised; and what Garrisons will be fit to be continued.

That there be no Want of Provisions and other Necessaries for the Army now in those Parts,

'Parts, you are hereby authorized to send War-
'rants, under the Hands of any three or more of
'you, into the said Counties of *Devon* and *Corn-*
'*wall*, for the furnishing of Provisions and other
'Necessaries for that Army, as Need shall re-
'quire.

An. 21. Car. I.
1645.
February.

'You are likewise to endeavour that all Pro-
'visions and other Necessaries, provided by your
'Care, be so ordered; that Account may be made
'what is taken; to the end that such Provisions
'may be discounted upon the Pay of the said
'Forces.

'You are to take Care that the several *Ordi-*
'*nances* of Parliament be put in due Execution
'against Papiſts and Delinquents, notwithstanding
'any Protection whatsoever.

'That when the said Counties, or any Part of
'them, shall be reduced to the Obedience of the
'Parliament, you shall take Care that the *Ordi-*
'*nance* for the *Directory* be put in Execution in
'all Parishes within the said Counties of *Devon*
'and *Cornwall*: And you shall take further Care
'that the Justices of the Peace do swear Constables
'and other Officers, being able and well-affected
'Persons, in the room of those who have been
'formerly employed by the Enemy, and have pro-
'moted their Service.

'Of all emergent and incident Things, as come
'not within the Compass of these *Instructions*,
'and yet do or may concern the Welfare of the
'said Counties, or the State in general, you are to
'certify both Houses, or the Committee of Lords
'and Commons for the *Western Association*. Pro-
'vided that no Power hereby granted, or intend-
'ed, shall extend to the lessening or diminishing
'any Power formerly granted to Sir *Thomas Fair-*
'fax, General.'

Feb. 20. The Speaker of the House of Lords
acquainted them, That the *Scots* Commissioners had
delivered to him two Letters, from the Parliament

An. 21. Car. 1. of that Kingdom, with a Desire to be communicated
1645. to both Houses, which were read :

February.

Right Honourable,

Two Letters
from the Scots
Parliament, pre-
fing the Settle-
ment of Church-
Government,
the Payment of
their Army, &c.

‘ **T**HE Estates of Parliament of this Kingdom
‘ have considered the Desires of the Honour-
‘ able Houses, concerning the Garrisons placed by
‘ the Scots Army in the Towns and Castles of *Car-*
‘ *lisle, Newcastle, Tinmouth, Hartlepool, Stockton,*
‘ *Warkworth, and Thirkwal,* expressed in the *Let-*
‘ *ter* of the 14th of November last; and have sent
‘ Instructions to their Commissioners to give such
‘ an *Answer* to the Honourable Houses, as they are
‘ confident may serve most for promoting the Cause
‘ wherein both Kingdoms are so highly engaged,
‘ and carrying on the War to the best Advantage.

‘ They have further given Direction to their
‘ Commissioners to make known to the Honourable
‘ Houses, the earnest Desires of this Kingdom for
‘ the settling of Religion and Church-Government,
‘ (which as it was the principal Ground of their
‘ Engagement in this Cause, so will the Perfecting
‘ of it be their chiefest Joy, and Glory of both
‘ Kingdoms) and their Propension for carrying on
‘ the War with the united Affection and Forces of
‘ both Kingdoms, and that no good Means be left
‘ unessayed for attaining a firm and lasting *Peace*; it
‘ being the constant Resolution of this Kingdom,
‘ against all Opposition, to strengthen and cherish
‘ the Unity and brotherly Kindness between the
‘ Kingdoms; and, *Peace* settled with Truth, and
‘ these Things performed by the Honourable Houses,
‘ (which by the *Treaty* they are obliged unto) to
‘ recall the Scots Army, with as great Alacrity as
‘ they were ready to send the same into *England* for
‘ the Assistance of their Brethren.

‘ The Inconstancy of the Weather in this Sea-
‘ son hath been an Impediment to the Passage be-
‘ twixt this and *Ireland*, so as they have not yet had
‘ an *Answer* to their *Letters* sent thither concerning
‘ *Belfast*; but they have commanded their Com-
‘ mittee

mittee to return Answer to the Honourable An. 21. Car. I.
Houses in that Particular, how soon they shall
receive Information concerning the same. I
am

1645.
February.

Your affectionate Friend

St. Andrews,

Feb. 3, 1645.

and humble Servant,

CRAWFORD and LINDSAY,
President of Parliament.

The other Letter was from the same to the
same, and bore Date the same Day.

Right Honourable,

AS the Parliament of this Kingdom doth acknowledge the Zeal and Endeavours of the Honourable Houses of Parliament, for the good Progress already made towards Reformation of Religion, and Uniformity of Church-Government: So it is expected, that (when they shall seriously consider the brotherly Affection and great Sufferings of this Kingdom, who, from a peaceable Condition which we formerly enjoyed, did engage ourselves in a dangerous and bloody War with England against their Enemies, when their Affairs were in the hardest and lowest Condition, upon a mutual League and Covenant, to settle Religion and Church-Government according to the Word of God, the Practice of the best Reformed Churches, and as might draw the nearest Uniformity betwixt the two Kingdoms, which was acknowledged to be the chief Ground of craving Aid and Assistance from this Kingdom) the Honourable Houses will now, after so mature Deliberation, add their Authority and Civil Sanction, without further Delay, to what the pious and learned Assembly of Divines, upon mature and accurate Debates, have advised to be most agreeable to the Word of God; and perfect what remains to be done in the Work, according to the Covenant; which I am commanded by the Parliament of

An. 21. Car. 1.
1645.

February.

‘ this Kingdom to demand, and do accordingly, in
 ‘ their Names, demand of the Honourable Houses
 ‘ of Parliament of *England*: The Performance
 ‘ whereof will be most acceptable to this Kirk and
 ‘ Kingdom, as a special Recompence of the La-
 ‘ bours and Blood which hath been shed in assist-
 ‘ ing you to promote the Cause of God; and will
 ‘ be a Means to procure God’s Blessing upon the
 ‘ Proceedings and Undertakings of both Kingdoms.
 ‘ And the Parliament of this Kingdom is persuaded,
 ‘ that the Piety and Wisdom of the Honourable
 ‘ Houses will never admit Toleration of any Sects
 ‘ or Schisms, contrary to our solemn and sacred
 ‘ Covenant.

‘ The next Desire of the Parliament of this
 ‘ Kingdom (and which of all Things next to Truth
 ‘ is most desirable) is, That all lawful Means be
 ‘ used for attaining a just and well-grounded *Peace*:
 ‘ For which End I am commanded to desire, and do
 ‘ accordingly, in the Name of the Parliament of
 ‘ this Kingdom, desire, That the *Propositions* of
 ‘ *Peace* be dispatched to his Majesty; and may be
 ‘ so pursued and managed as may best procure the
 ‘ settling of Truth and Peace, that there may be
 ‘ an End of the great Distractions and unnatural
 ‘ War of all the three Kingdoms.

‘ This Kingdom lieth under the Burthen of great
 ‘ and vast Expence in raising and entertaining Ar-
 ‘ mies; and hath, with the Loss of the Lives of
 ‘ many precious Men, set their own Houses on Fire
 ‘ to quench the Flame of yours, and almost de-
 ‘ stroyed their own Nation to preserve yours. And
 ‘ seeing the seasonable Assistance afforded by this
 ‘ Kingdom to you, and by the late Successes where-
 ‘ with God hath blessed your Armies, you are in
 ‘ a great Measure freed of your Trouble; and are
 ‘ in a far better Capacity to pay the Money due to
 ‘ our Armies in *England* and *Ireland*, than you
 ‘ were at any Time since the Beginning of these
 ‘ Wars; I am likewise commanded by the Par-
 ‘ liament of this Kingdom to demand, and accord-
 ‘ ingly do, in their Name, demand of the Ho-
 ‘ nourable

‘ honourable Houses of Parliament, to make Pay-
 ‘ ment, before the third of *May* next, of the Sums
 ‘ of Money duly owing by them to this Kingdom,
 ‘ and their Armies in *England* and *Ireland*, accord-
 ‘ ing to the *Treaties* betwixt the two Kingdoms;
 ‘ the Account whereof will be given in by our
 ‘ Commissioners, that this Kingdom may be there-
 ‘ by relieved of the great Burthens and Pressures
 ‘ of our Debts contracted in this Cause, and be en-
 ‘ abled and encouraged for joint carrying on of the
 ‘ War, till the Church of God be settled in Purity
 ‘ and Peace.

An. 21. Car. 1.
 1645.

February.

‘ And it is further craved from the Justice of the
 ‘ Honourable Houses of Parliament, That they
 ‘ will take into their serious Consideration the great
 ‘ Losses sustained by this Kingdom at Sea, thro’
 ‘ the Non-Attendance of their Ships upon our
 ‘ Coasts, according to the *Treaty*, and make Re-
 ‘ paration thereof; and of the Losses which *Scot-*
 ‘ *land* hath sustained by the *Irish* Invasion, which
 ‘ the Kingdom of *England* is bound to suppress by
 ‘ the *large Treaty*. In all which the Desires of the
 ‘ Parliament of this Kingdom are no other than,
 ‘ That Religion and Church-Government may be
 ‘ settled according to our *Covenant*: That the War
 ‘ may be carried on with brotherly and constant
 ‘ Affection, by the joint Councils and Forces of
 ‘ both Kingdoms: That a well-grounded and du-
 ‘ rable *Peace* may be endeavoured betwixt the King
 ‘ and his Subjects: That Payment may be made
 ‘ of the Sums due to this Kingdom and our Armies
 ‘ by *Treaty*; and that (against the Malice of our
 ‘ open Enemies, and secret Plots of such as, for their
 ‘ own Ends, are labouring to sow Sedition betwixt
 ‘ Brethren tied by so many Relations) mutual A-
 ‘ mity and Union between the Kingdoms may be
 ‘ strengthened and perpetuated to all Posterity.

[Subscribed as before.]

Feb. 24. A *Vote* of the House of Commons was
 brought up to the Lords for their Concurrence, to take

An. 21. Car. I.

1645.

February.

The Court of
Wards abolished
by the Parlia-
ment.

I. take away the *Court of Wards*, an antient Appendage of the Crown; and this without asking the King's Consent about it, although, in the Reign of King *James*, the Parliament had offered that Monarch the Sum of 100,000 *l.* for it by way of Purchase; as mentioned at large in our Fifth Volume. This Affair stands thus enter'd in the *Lords Journals*:

A Message was brought from the House of Commons by Sir *Henry Vane, jun.* That, in this Time of great Distractions, wherein the Lords, and the House of Commons, and the whole Kingdom have ventured their Lives and Fortunes, for a Recompence to the whole Kingdom they have a Right to take away a great Burden; therefore have made a *Vote*, wherein the House of Commons desire their Lordships Concurrence.

The *Vote* was read as follows:

'That the Court of Wards and Liveries, and all Wardships, Liveries, Primer-Seisins and Oustrel Maines, and all other Charges incident or arising for or by reason of Wardship, Livery, Primer-Seisins, and Oustrel Maines, be from this Day taken away: And that all Tenures by Homage, and all Fines, Licenses, Seisures, and Pardons for Alienation, and all other Charges incident thereunto, be likewise taken away: And that all Tenures by Knights Service, either of his Majesty or others, or by Knights Service or Socage *in Capite* of his Majesty, be turned into Free and Common Socage.

Resolved, upon the Question, *Nem. Con.* 'That this House agrees to this *Vote* as it is now brought up from the House of Commons.'

It is very remarkable that this *Vote* was passed by the Commons, agreed to by the Lords, and ordered to be printed and published, all on one and the same Day.

Mr. *Whitlocke* writes, That this *Vote* took its Rise from an *Ordinance* being debated in the House of Commons, for discharging the Wardship of the

The Heirs Male of Sir *Christopher Wray*, who died in the Parliament's Service : And that thereupon the Original of Wardships, the Misapplication of the Intention of them, and the present Oppression to the Families of Noblemen and Gentlemen by them, was opened to the House by *Selden*, *Maynard*, *St. John*, himself, and other Lawyers.

An. 21. Car. I.

1645.

February.

It has been already mentioned that an Order was made for a public Thanksgiving for the Taking of *Chester*:—But, before the Day appointed, there came a Letter from Sir *Thomas Fairfax*, giving an Account of the great Success he had gained over the King's Forces commanded by the Lord *Hopton*, near *Torrington*, in *Devonshire*; whereupon the Parliament ordered that the same Day should be observed as a Thanksgiving for both; and that the Ministers should take particular Notice of each to their respective Auditories.

Lord Hopton defeated in Devonshire by Sir Thomas Fairfax.

This Letter was address'd to the Speaker of the House of Commons, and is printed at large by Mr. *Rushworth*; which we therefore pass over with a Reference: But, in Justice to that Gentleman's Collections, it is to be observed that it is omitted in the Journals of both Houses.

Feb. 26. A Letter from the Earl of *Rutland* was read with a Paper inclosed.

For the Lord *GREY* of *Wark*, Speaker of the House of Peers at Westminster.

May it please your Lordship,

I Send your Lordship here inclosed an Abbreviate of the Musters of the Scots Army; the Rolls themselves are very long, and therefore Copies of them are only sent to the House of Commons; and I beseech you give me Leave to put your Lordship in mind of my former Letters concerning those Forces. The Committee of Nottingham

The Earl of Rutland's Letter concerning the Musters of the Scots Army.

An. 21. Car. 1.
1645.

February.

ham tell us of the real Ease which comes to them by the 833*l.* weekly paid by us to that Army, and that they could not have subsisted without it; and our Experience assures us of the Truth thereof.

We have paid four Weeks Payment, and two more are due on Wednesday next; so that the 6000*l.* advanced by the Treasurers of Goldsmiths-Hall will be suddenly run out, and we know not how the Inhabitants of the North Side Trent can possibly subsist them. We cannot think of any Way for so many Horse on the North Side Trent, neither doth the Service in those Parts require the fourth Part of them, or any more Foot than there are there; and if any of their Horse should come on this Side Trent, our Forces must speedily disband, and the Siege be raised; for all we can do to get Provisions for these we have will scarcely serve, and we have full as many English Horse on the South Side Trent as are needful for the Service; and indeed too many if the Yorkshire Committee do not pay theirs, who write to us they are not able, the Scots Horse assessing on some Parts of that County after the Rate of 90,000*l.* per Menssem; and which some Yorkshire Gentlemen, now with us, say is increased to 110,000*l.* per Menssem: But we hope the Committees in Yorkshire will consider that not to be the Way for the Public or their own Good; but will, through all Difficulties, pay their Forces while they are employed before Newark; the reducing thereof so much conducing to the Service of the whole Kingdom, especially of the Northern Parts.

We earnestly desire some authorised from the Parliament of Scotland may come speedily, and join with us, to order the Scots Army. We have been told these eight Weeks that they are daily expected, but we hear not of any on their Way towards us.

Your Lordship's humble Servant.

Lincoln, Feb. 21,
1645.

RUTLAND.

An

Of ENGLAND. 267

An Abbreviate of the MUSTERS taken of the Horse, Foot, and Train of Artillery of the Scots Army at Muskam, the 17th of January, 1645, referred to in the foregoing Letter.

An. 21. Car. I.

1645.

February.

H O R S E.

The General, the Earl of Leven's Regiment	518
Lieut. Gen. David Lesley's Regiment	625
Maj. Gen. Middleton's Regiment	360
Lord Balcarras's Regiment	369
Sir Frederick Hamilton's Regiment	328
Sir James Ramsay's Regiment	412
Sir John Browne's Regiment	532
Col. Van Rusk's Regiment	304
The commanded Party	104
The Life-Guard	102
Col. Weldon's Regiment	310
College of Justice Troop	69
Two Troops under Lieut. Col. Hamilton and Capt. Disney	103

In all, besides Officers, — 4136

F O O T.

Earl Marishal's Regiment	372
Earl of Tullibardine's Regiment	482
Lord St. Clair's Regiment	403
Lord Levingston's Regiment	230
Sir Thomas Guthrie's Regiment	325
Sir Arthur Erskine's Regiment	247
Sir David Hume's Regiment	534
Col. Scot's Regiment	243

In all, besides Officers, — 2836

Officers and Men belonging to the Train — 29

Waggoners — 21

In all — 50

Another

An. 21. Car. I. Another *Message* from the King was this Day,
 1645. Feb. 28, presented to the Lords by their Speaker,
 which was read in these Words:

February.

For the SPEAKER of the House of PEERS *pro Tempore*. To be communicated to the two Houses of Parliament at *Westminster*, and the Commissioners of the Parliament of *Scotland*.

CHARLES R.

Another *Message*
 from the King,
 Feb. 28, for
 Peace.

HIS Majesty needs to make no *Excuse*, tho' he sent no more *Messages* unto you; for he very well knows he ought not to do it, if he either stood upon *Punctilios* of Honour or his own private Interest; the one being already call'd in Question by his often sending; and the other assuredly prejudged if a Peace be concluded from that he hath already offered, he having therein departed from many of his undoubted Rights: But nothing being equally dear unto him as the Preservation of his People, his Majesty passeth by many Scruples, Neglects and Delays, and once more desires you to give him a speedy Answer to his last *Message*; for his Majesty believes it doth very well become him, after this very long Delay, at last to utter his Impatience, since that the Goods and Blood of his Subjects cry so much for Peace.

Given at the Court at Oxford, the 26th of February, 1645.

The same Day, the Lord *Wharton* reported a *Paper* from the Committee of both Kingdoms and a *Letter*, which were read. The former runs thus:

Die Jovis, Feb. 26, 1645.

At the Committee of both Kingdoms at Derby-House,

An Order for preventing Sir Jacob Astley's joining his Forces with the Enemy at Oxford.

ORdered that it be reported to both Houses, That, upon Receipt of an Order the twenty-third Instant, this Committee forthwith gave Order to Col. *Fleetwood* and Col. *Whaley* to be so observant of the Motions of the Forces about Oxford and those Parts, that the Design of the Army in the *West* might not be disturbed or interrupted

‘ interrupted by any Alarms into any of the Parts An. 21. Car. 1.
 ‘ *Westward*; yet we thought it necessary that the 1645.
 ‘ Forces with Col. *Whaley* should be kept toge-
 ‘ ther as much as may be on the *North of Oxford*,
 ‘ to prevent the joining of the Forces of *Oxford*,
 ‘ and the rest of the Garrison and their Parties
 ‘ with Sir *Jacob Astley*; (which we have Intelli-
 ‘ gence they do intend) who being the greatest
 ‘ Number of Forces that the Enemy any where
 ‘ have, may, if they be increased with the Addi-
 ‘ tion of those about *Oxford*, give the most pro-
 ‘ bable Beginning to a new Army for the King;
 ‘ for by lying there they also are most ready to
 ‘ hinder the marching of the *Oxford* Troops, or
 ‘ those with Sir *Jacob Astley*, towards *Newark*, to
 ‘ interrupt that Siege; and may also best preserve
 ‘ the Association.

February.

‘ Ordered that it be further reported to both
 ‘ Houses, That we have also written to Col. *Fleet-*
 ‘ *wood* and Col. *Whaley* to send 200 Horse into a
 ‘ certain Place in *Wiltshire*, near *Farringdon*; and
 ‘ have desired the Committee of *Wilts* to provide
 ‘ 200 Musketeers to be made Dragoons, for the
 ‘ more secure lying of those Horse; and that the
 ‘ Houses will take the same Course to enable that
 ‘ County to raise some more Horse for their own
 ‘ Defence.’

Next was read a *Letter* of General *Lesley*’s,
 and a *Declaration*.

For the Right Hon. the COMMITTEE of both
 Houses with the Army before *Newark*.

Right Honourable,

‘ I Acknowledge, with all Thankfulness, your General *Lesley*’s
 ‘ Freedom in acquainting us with the base Letter relating to
 ‘ Calumnies and Informations invented and spread Complaints a-
 ‘ abroad against our Army; which I dare say do Army.
 ‘ proceed, for the most part, from the Activeness,
 ‘ Industry, and Malice of our Enemies, on pur-
 ‘ pose to render us hateful to our Friends, and to
 ‘ divide

An. 21. Car. I.

1645.

February.

divide (which God avert) the Kingdoms if possible.

‘ I have ever been most willing to redress the least Injury and Wrong done by any under my Command; and, at this present, have the most of them which are complained of by the Inhabitants of *Tickhill* in Prison, upon whom I shall do Justice most severely, so soon as any of the Crimes they are charged with be proved; by which your Lordships may see how unjustly we are dealt with. In the best regulated Armies that ever were there have been Disorders and Miscarriages; neither is it to be expected but there have been, and are, some in ours, considering how much we have been neglected in our Maintenance, that sometimes, for the Space of seven or eight Months together, we have received no Pay; and as it is no small Matter of Grief to me when any Miscarriage falls out, so no sooner is any Disorder made known to me but I put it to Trial and Examination, which is clear in that of *Tickhill*, so much aggravated; for I no sooner heard of the Abuses said to be done there, but I caused to imprison the Persons complained of. I entreated the Commissioners of the Parliament to send to *Tickhill* some from them, where I appointed honest and able Men from our Army to meet with them, to hear the Complaints and report to me, that I might accordingly clear or punish the Persons complained of. Those appointed by me went to the Place, but there were none there to meet with them; and the Reason pretended was, because the Inhabitants durst not complain as long as there was in the Place a Regiment to over-awe them, which I dare say is a Calumny; wherefore I have removed that Regiment, and have renewed my Entreaty to the Commissioners, that they will be pleased to send some from them to *Tickhill*; where I shall meet them with the Persons complained of, that, if they be found guilty, they may be punished according

‘ cording to the Nature of their Faults; and, if An. 27. Car. I.
 ‘ innocent, they may be cleared. 1645.

‘ As to that of Major *Blair*; it is a wild Ca-
 ‘ lumny, for since his coming to *Nottingham* he
 ‘ had no Order from me to return to *Yorkshire*;
 ‘ neither did he return or quarter there since, but
 ‘ is yet lying with his Troops in *Derbyshire*. And
 ‘ for our Army, notwithstanding all the heinous
 ‘ Crimes we are charged with, I dare say never
 ‘ Army lived more peaceably and quietly than we
 ‘ have done; and that no Army in the Kingdom
 ‘ is more willing to accept of a Competency for
 ‘ Substinance, and to offer themselves, when com-
 ‘ manded, with all Chearfulness for the Advantage
 ‘ of the Public Service. I am confident that God,
 ‘ who knows the Sincerity of our Hearts to this
 ‘ Kingdom, and the Cause we fight for, will, in
 ‘ his own Time, prove the Truth of this.

‘ I have sent you here inclosed a Copy of a *De-*
 ‘ *claration*, which I have caused to be published
 ‘ this last *Sabbath* in all the Parish-Churches where
 ‘ our Forces lie; a Copy whereof I have also sent
 ‘ to the Commissioners of the Honourable Houses
 ‘ of Parliament, and to the Committee of *York-*
 ‘ *shire*, which I entreat you to present with this
 ‘ Letter to the Committee of both Kingdoms, and
 ‘ to the Parliament; as also to give Assurance
 ‘ to all Friends, that whatsoever Reports may
 ‘ be spread of our Army, they may, notwith-
 ‘ standing, rest confident that there shall be no
 ‘ Disorders or Miscarriage in it which shall not be
 ‘ severely punished; that I will expect so much
 ‘ Charity and Justice from them, that they will
 ‘ believe nothing to our Prejudice upon bare and
 ‘ naked Informations and Reports; and that they
 ‘ will suspend their Judgments till due Trial and
 ‘ Examination be made: This done I doubt not
 ‘ but we shall receive good Testimonies from our
 ‘ Friends, and make our Enemies and Accusers
 ‘ ashamed of their Lies and Calumnies where-
 ‘ with they have charged us, who have been, and
 ‘ ever

February.

272 *The Parliamentary HISTORY*

An. 27. Car. 1. 1645. ever shall be, zealous in abhorring and punishing
such Villainies; and shall ever remain

February.

Kelham, Feb. 22, 1645. Your Lordships faithful Servant,

DAVID LESLEY.

*The DECLARATION, mentioned in the foregoing,
was as follows:*

His Declaration
promising to re-
dress all Persons
aggrieved there-
by.

WHereas both Houses of Parliament have
lately given Order for providing 15,000*l.*
per Mensen, for the Maintenance of the Forces
before *Newark* under my Command, it is ex-
pected the Honourable Commissioners of Parlia-
ment will take special Care for due Performance
thereof; whereby the Army may, in some Mea-
sure, subsist and be enabled to prosecute the Ser-
vice wherein they are now engaged:

And whereas divers Complaints have been made
elsewhere against some in this Army, without
making any Address to us here upon the Place,
who have ever been, and shall be, most ready and
willing to redress all just Grievances; we have
thought fit to make known to all the Inhabi-
tants in these Parts, that we have issued our Edict
and Proclamation, commanding all our Officers
and Soldiers not to presume, upon Pain of Death,
to offer the least Wrong or Violence whatsoever
to any in their Persons or Goods; and we do
hereby invite all such as have, or shall receive
any Wrong or Injury from any within this Army
to make their Repair freely to our Quarters,
to exhibit their Complaint against any Officer or
Soldier whatsoever; and we do faithfully promise
that severe Punishment shall be inflicted upon all
such as shall be found guilty upon Trial: As, on
the other Part, we expect that none will be so
forgetful of their Duty, or injurious to this Army,
as to make Complaints elsewhere, when Justice
hath not been denied them upon the Place.

DAVID LESLEY.

March

March. As the last Month ended with *Scots Affairs* so this Month begins with the same; for, on the second, the Speaker acquainted the Lords that a *Letter* was delivered him from the Lord *Warri-son*, one of the *Scots Commissioners*, which came from the Parliament of *Scotland*, and was read as follows:

An. 21. Car. I.

1645.

March.

For the Right Hon. the LORDS and COMMONS assembled in the Parliament of England, at Westminster.

St. Andrews, Feb. 10, 1645.

Right Honourable,

BEING appointed by the Parliament of this Kingdom, now adjourned, to keep Correspondence with the Honourable Houses of Parliament of *England*; and being intrusted with the Pursuance of their Desires for the Furtherance of the Common Cause, and the public and mutual Good of both Kingdoms; we do, in the Name of the Parliament, and by their Authority, certify, That this Kingdom, notwithstanding all their Sufferings and Discouragements, are not moved or shaken from their former Resolutions and Vows, but will live and die with their Brethren of *England*, in the Prosecution of the Ends expressed in the *Solemn League and Covenant*: Being confident of the like Inclination and Resolution of the Parliament and Kingdom of *England* against all such groundless Suspicions and needless Jealousies to the contrary, as bad Instruments from the Beginning to this Day have been, from their Envy of our common Happiness, and for their own private Ends, inventing; and suggesting that all the common Troubles which both Kingdoms have endured, may end in a public Tragedy, to the Scandal and Grief of the Reformed Churches, the hardening and strengthening of our common Enemies, the making of ourselves the Instruments of our own mutual Ruin and Destruction; and, which is most of all, the Dishonour of the great Name of our God, with whom we

The Scots complain of some scandalous Aspersions on their Nation.

An. 21. Car. 1.
1645.

March.

have entered into Covenant for the Propagation of
the Gospel, and the Advancement of the King-
dom of his Son,

For the present, according to the Trust com-
mitted unto us, we make our Address to both
Houses in the Particulars following, and do not
doubt but we shall receive such Satisfaction as
may be a real Testimony of their Justice and bro-
therly Kindness. Upon Information from our
Commissioners there, the Parliament, before
their adjourning, did understand what was writ-
ten by one calling himself *Robert Wright*, and in-
formed by another whose Name was kept in the
Dark, and confirmed by a *Letter* of Mr. *Fermin's*
to the Lord *Digby*, against this Kingdom, their
Army in *England*, and their Commissioners there.
The Accusations are of so high a Nature, and
so sophistically insinuated, that the Parliament
(who during their sitting were, upon all Occa-
sions, endeavouring the best Ways of the prefer-
ring the happy Conjunction of the two King-
doms) were much affected therewith, as a Mat-
ter wherein they were much concerned, both for
their own Vindication and the Satisfaction of
their Brethren. If there shall be any Matter or
Ground of such Accusation found against any
Person of this Kingdom, or our Army, or any
of our Commissioners, we are no less willing that
it be examined and punished to the full, than we
desire and expect that the like be done against any
in *England* that transgress in that Kind; which
is conform to our Covenant, wherein we all
swear, *With all Faithfulness to endeavour the Dis-*
covery of all such as have been, or shall be, Incen-
diaries, Malignants, or evil Instruments, by hin-
dering the Reformation of Religion, dividing the
King from his People, or any of the Kingdoms from
the other, that they may be brought to public Trial,
and receive condign Punishment as the Degree of
their Offences shall require or deserve. But let us
desire and expect, from our Brethren, all Charity,
Tenderness, and Respect, to this Kingdom, our
Army

‘ Army, and Commissioners ; of whose Faithful-
 ‘ ness they have had so large and manifold Expe-
 ‘ rience, and in their several *Letters* to this King-
 ‘ dom did give them so ample Testimonies, that
 ‘ no Aspersions or Suspensions lie upon them by con-
 ‘ cealing the Names of any Persons who can be
 ‘ discovered. And therefore, according to the Trust
 ‘ committed unto us, we do desire, in the Name
 ‘ of the Parliament and Kingdom of *Scotland*, (if
 ‘ that *Robert Wright* be not yet found out who he
 ‘ is, and that hidden Knight, after so long a Time,
 ‘ be not yet unsecreted, and made known by Name)
 ‘ all Means may be used for discovering the one,
 ‘ whose Letters have been so frequently produced
 ‘ before the Committee of both Kingdoms; and
 ‘ revealing the other to our Commissioners, which
 ‘ is in the Power of some of the Members of
 ‘ the House of Commons to do ; that both King-
 ‘ doms may be satisfied when the Truth is brought
 ‘ to Light, and all such Jealousies and Misun-
 ‘ derstandings prevented for the future.

An. 27. Car. 1.

1645.

March.

‘ We do also represent to the Honourable Houses
 ‘ of Parliament, that this Kirk and Kingdom is
 ‘ more scandalized and grieved in the Matter of
 ‘ Religion, which immediately concerneth God
 ‘ and his Honour, than in any Thing on Earth
 ‘ touching themselves and their own Name.

‘ A *Directory* for the Worship of God is agreed
 ‘ upon in the Assembly, and authorized by both
 ‘ Kingdoms, and practised carefully by this Church;
 ‘ but the *Service-Book* still retained in some Places
 ‘ of *England* under the Parliament’s Power, and
 ‘ the *Directory* very much slighted, and by some
 ‘ avowedly written against. Instead of the intend-
 ‘ ed Unity in Religion, blasphemous Errors, He-
 ‘ resies, Sects and Schisms are increased and mul-
 ‘ tiplied through the Want of Church-Govern-
 ‘ ment. The National Assembly of this Kirk, in
 ‘ their *Answer* to the *Declaration* of the Parlia-
 ‘ ment of *England*, of the Date *July*, 1642, pro-
 ‘ fess, *That themselves, and all the Well-affected*
 ‘ *within the Kingdom, are exceedingly grieved and*

276 The Parliamentary HISTORY

An. 21. Car. 1.
1645.

March.

made heavy, because the Reformation of Religion had moved so slowly, and suffered so great Interruption. And the Lords and Commons in Parliament assembled, in their Reply, did profess, That the miserable Estate of the Church and Kingdom was not able to endure any longer Delay. Like as, in their Declaration sent to the General Assembly, they profess, That they do not doubt but to settle such a Reformation of the Church, as should be most agreeable to God's Word. And, in the aforesaid Reply, they declare, That their Purpose is to consult with godly and learned Divines, that they may settle such a Government as may be most agreeable to God's most holy Word.

Some Commissioners from this Kirk have attended the Assembly of Divines there, for the Space of two Years and a half; and, long ago, the Assembly have offered their Advice to both Houses, yet can we hear nothing of the settling of any Government; but, upon the contrary, of a real Growth of all Sects and Errors, and of great Endeavours for Toleration thereof, which maketh us and this Church and Kingdom, who cannot understand where the Difficulty and Obstruction lieth, to wonder at so long a Delay; wherein we are very much interested, not only in relation to the Glory of God, our mutual League and Covenant, and the Peace and Happiness of that Church and Kingdom; but also in regard of the Unity of Religion amongst ourselves, and of the Peace of this Kingdom, which cannot be long preserved from so dangerous Contagion; which would be more grievous and intolerable unto us, than all our Troubles and Sufferings have been: And therefore, from all these Considerations, in the Name of this Kingdom and Parliament, we do in all Earnestness desire, That Church-Government may now at last, without further Delay, be settled according to the Covenant.

We do in like Manner press what hath been solicited by our Commissioners for the Space of eight

eight Months past, That the *Propositions* for *Peace*, after so much Debate and Deliberation agreed upon unanimously by both Kingdoms, the most material whereof have been fully treated upon at *Uxbridge*, may be forthwith sent to his Majesty; wherein this Kingdom is the more earnest, that they know not the Cause why the sending of these *Propositions* is so long suspended: They long for the End of this unhappy War, by the happy settling of Religion and Peace; and so much the more, that they do perceive some would make Use of the Continuance of these Wars, to raise and foment Jealousies and Differences betwixt these Kingdoms, and to separate those whom God hath so strictly tied for so good Ends, by so many Bonds and Relations; and we are confident will never suffer to be divided, but still continue them in a firm and blessed Conjunction against all Machinations of *Satan* and his Instruments; which shall ever be the settled Resolution and constant Endeavour of

An. 21. Car. I.
1645.
March.

Your Lordships

Affectionate Friend,

and humble Servant,

LOUDON, Cancellarius,

J. P. D. Com.

As soon as the Lords had heard this *Letter* read, they resolved to send it to the House of Commons, with this Sense upon it; That the Lords thought fit, for the keeping a good Correspondency and Union between the two Kingdoms, that all possible Means may be used for the Discovery of *Robert Wright* and the unknown Knight, mentioned in the *Letter*; the other Particulars the House would consider of in due Time.

March 4. Some of the *Propositions* for *Peace* being now finished by the Commons, and agreed

An. 21. Car. 1.
1645.

March.

to by the Lords, they were sent to the *Scots* Commissioners for their Concurrence: But since they are not as yet enter'd in their *Journals*, we shall refer all the following *Scots Memorials* and *Representations* to Parliament to another Place, where they will better occur all together.

The Siege of *Newark* went but slowly on, every Inch of Ground being disputed by the Besieged. The Earl of *Rutland*, in a Letter dated from *Lincoln*, *March 3*, wrote Word, That their whole Army, on the *South Side Trent*, were drawn together; the farthermost Foot Quarters about a Mile from the Town; others at *Faringdon*, *Houghton*, and *Balderton*, so to *Trent* again at *Winthorp*. That Evening about 300 Horse and Foot of the Garrison faced them, but advanced not from under the Cover of their own Cannon. The *Scots* Army were drawn up on the *North Side Trent*, and the Soldiers were all full of Courage, and very few sick amongst them. He concludes with saying, That he hoped shortly to give the Lords a good Account of the Place.

The Commons
send up to the
Lords an Ordinance for settling
of Church-Government.

The Commons had been many Months employed in framing an *Ordinance* for settling of Church-Government; and this Day, *March 6*, having passed the same, they ordered That Mr. *Denzil Holles*, accompanied by all the Members of the House, should carry it up to the Lords for their Concurrence; which was done the next Day accordingly, the Speaker leaving the Chair in the Interim. The Lords gave Answer, That they conceived it to be a Business of great Weight, and would take it into their serious Consideration.

March 9. For Want of Materials at home, we shall here exhibit a Copy of a Letter to the Parliament, from their Agent Mr. *Strickland* at the *Hague*, with an Account of what was doing abroad, and how the rest of *Europe* were employed at this Time.

For

For the Right Hon. the Lord GREY of Warke, An. 21. Car. I.
Speaker of the House of Lords, 1645.

My Lord,

March.

SOME Propositions betwixt France and Spain
have put this State into great Considerations, A Letter from
and are questionless as much our Interest as theirs, Mr. Strickland
The Spaniard makes many Addresses to this at the Hague.
State to treat with it a-part; but this State, in
that, went *bona Fide*; and would not meddle but
by Communication with the French according
to the Treaty. Now he offers, by the Pope's
Nuncio and the Venetian Ambassador, the Me-
diators at Munster, to give Flanders, and the rest
of the Provinces in his Possession, to the French,
in Marriage with the Infanta to the French King,
upon Condition to have Catalonia restored, and
the Alliance broken with the King of Portugal.
Two of the States Ambassadors are returned to
communicate this, which is Matter of much
Weight. The French say they will accept no-
thing but by Consent of this State; but the States
are so full of this, that they have sent into all
Provinces to have Instructions what to do, if
such a Resolution be taken.

My Lord, this Business hath more troubled
this State than any Thing yet ever fell out since
I came; and, if it should proceed, it would as
much concern us as them in our nearest Interests.
The French Ministers assure this State no Condi-
tion will be offered nor taken by them, but by
mutual Consent. It were to be wish'd those
honourable Persons*, mentioned to come hither,
were here; that those Interests which concern
us so nearly, might be managed by those whose
Abilities and Integritys might promise us better
Success.

If France and Spain make a Peace without the
States, it renders our Alliance more valuable;
and

The Lord Roberts and Sir Henry Mildmay, as well as Mr.
Strickland, were appointed to reside at the Hague on Behalf of the
Parliament: But the latter only went.

An. 21. Car. I.
1645.

March.

and, however, ours will be more considerable before any Peace at *Munster* than after. Many think these Offers are especially made to divide the *French* and the *States*, or at least to make both less in haste for the Field this Summer. I am,

My Lord,

Hague, March $\frac{24}{14}$
1645

Your Lordship's humble Servant,

WALTER STRICKLAND.

About this Time also an *Ordinance* was pass'd for settling and regulating the *Heralds Office*; to effect which Mr. *Whitlocke* tells us he much laboured, and was one of the Committee for that Purpose; but that he was opposed by many inclined to Levelling.

March 14. The Lords having agreed to the *Ordinance* for settling of *Presbyterial Church-Government*, the same was ordered to be forthwith printed; but we do not meet with it in any of the Collections of these Times. It is thus entered in the *Journals*:

An ORDINANCE for keeping of scandalous Persons from the Sacrament of the Lord's Supper; the enabling of Congregations for the Choice of Elders; and supplying of Defects in former Ordinances and Directions of Parliament concerning Church-Government.

The last mentioned Ordinance as pass'd by both Houses,

THE Lords and Commons, assembled in Parliament, being very sensible of the great Duty which lieth upon them to settle Matters concerning Religion and the Worship of Almighty God; and having continually before their Eyes the *Covenant* which they have so solemnly taken for the Performance thereof, and the manifold Motives and Encouragements thereto which are given them from God himself, by a
spe-

' special Hand of Providence pouring forth daily An. 21. Car. I.
 ' Mercies upon them; in Discharge of their Du- 1645.
 ' ty, and in pursuance of the said *Covenant*, and
 ' in Thankfulness to God for all his Mercies, ha-
 ' ving diligently applied themselves to that Work
 ' of his House; by his Grace and Assistance they
 ' have made some Progress therein, notwithstanding
 ' the Exigency of other Affairs, accompanied
 ' oftentimes with great and imminent Dangers;
 ' and notwithstanding the great Difficulty of the
 ' Work itself, in divers Respects, and particularly
 ' in the right jointing of what was to be settled
 ' with the Laws and Government of the Kingdom;
 ' the Want whereof hath caused much Trouble in
 ' this and other States: Yet, by the merciful As-
 ' sistance of God, having removed the Book of
 ' *Common-Prayer*, with all its unnecessary and
 ' burdensome Ceremonies, and established the *Di-*
 ' *rectory* in the Room thereof; and having abolish-
 ' ed the Prelatical Hierarchy by Archbishops, Bi-
 ' shops, and their Dependants; and, instead there-
 ' of, laid the Foundation of a Presbyterial Go-
 ' vernment in every Congregation, with Subordi-
 ' nation to Classcal, Provincial, and National
 ' Assemblies, and of them all to the Parliament;
 ' although it cannot be expected, that a present
 ' Rule, in every Particular, should be settled all
 ' at once; but that there will be need of Supple-
 ' ments and Additions, and haply also of Altera-
 ' tions in some Things, as Experience shall bring
 ' to Light the Necessity thereof; yet were the
 ' Fundamentals, and substantial Parts of that Go-
 ' vernment long since settled in Persons by and
 ' over whom it was to be exercised; and the Na-
 ' ture, Extent, and respective Subordination of
 ' their Power was limited and defined: Only,
 ' concerning the Administration of the Sacrament
 ' of the Lord's Supper, How all such Persons as
 ' were guilty of notorious and scandalous Offences
 ' might be suspended from it, some Difficulty a-
 ' rising, not so much in the Matter itself, as in the
 ' Manner, How it should be done, and who
 ' should

March.

An. 21. Car. I.

1645.

March.

should be the Judges of the Offence; the Lords
 and Commons having it always in their Purpose
 and Intention, and it being accordingly declared
 and resolved by them, That all Sorts of notorious
 scandalous Offenders should be suspended from
 the Sacrament; for the Preventing of an indefinite
 and unlimited Power in the Elderships, they held
 it fit, for the present, that the particular Cases of
 such scandalous Offences should be specified and
 enumerated; with express Declaration, That
 further Provision should be made, by Authority
 of Parliament, for such Cases as were left out of
 the said Enumeration: Which accordingly ha-
 ving since taken into their serious Consideration;
 and having had several Debates thereupon, as the
 Difficulty of the Matter required, which hath
 taken up much Time; for the avoiding, as far
 as possible may be, all arbitrary Power; and that
 all such Cases wherein Persons should be suspend-
 ed from the Sacrament of the Lord's Supper
 might be brought to the Cognizance, and pass
 the Judgment of the Parliament, who were bound
 in Justice, as well to take care that none be in-
 juriously detained from that Ordinance, as to give
 Power, whereby such may be kept away who
 are unfit to partake therein; and to the Intent
 also that a full and speedy Course may be settled
 to enable the several Elderships to suspend all such
 Offenders from the Lord's Supper, without ha-
 ving recourse to the Parliament itself from all
 Parts of the Kingdom upon every such emergent
 Case, which might prove troublesome and tedious,
 and give Liberty to such notorious and scanda-
 lous Offenders to communicate a long Space in
 the said Ordinance; and to the Intent likewise,
 that all such Cases coming first from the parti-
 cular Elderships may, after they have passed the
 Judgment of Parliament, return again to all the
 several Elderships within the Kingdom, to pro-
 ceed upon them, from Time to Time, in like
 Manner as in the Cases enumerated: For the
 Ends and Purposes aforesaid, and also for Supply
 of

of some Defects in the former Ordinance and Di-
rections of Parliament, concerning the Choice of
Elders and some other Matters :

An. 21. Car. I.

1645.

March.

I. ' Be it *Ordained*, That there be forthwith a
Choice made of Elders throughout the King-
dom of *England*, and Dominion of *Wales*, in the
respective Parish-Churches and Chapels, accord-
ing to such Directions as have already passed both
Houses, bearing Date *August* the Nineteenth,
1645, and since that Time : And all Classes,
and Parochial Congregations, are respectively
hereby authorized and required, forthwith effec-
tually to proceed therein accordingly.

II. ' That Notice of the Election of Parochial
and Congregational Elders, and of the Time
when it shall be, be given by the Minister, in
the public Assembly, the next Lord's Day but
one before : And that, on that said Lord's Day, a
Sermon be preached, preparatory to that weighty
Business.

III. ' That such Elections shall be made by the
Congregation, or the major Part of them, then
assembled, being such as have taken the *National*
Covenant, and are not Persons under Age, nor
Servants that have no Families.

IV. ' That the Tryers of Elections of Elders
shall have Power to receive, hear, and determine
all Exceptions brought in to them concerning
undue Elections ; and, to that End, to call before
them all such Persons so elected, and accepting
such Election ; and to send for such Witnesses
as shall be nominated unto them, by such Persons
as shall bring in such Exceptions : And shall have
Power to examine, upon Oath, both the Persons
bringing in such Exceptions, and the said Wit-
nesses, concerning any undue Proceedings in the
Manner of the said Election, and concerning all
Matters of Ignorance or Scandal objected against
the Party elected, and expressed in any *Ordinance*
of Parliament to be a sufficient Cause of Suspen-
sion from the Sacrament of the Lord's Supper,
and

An. 21. Car. 1.
1645.

March.

‘ and of which any Eldership, by any *Ordinance*
‘ of Parliament, hath Cognizance and Jurisdiction,
‘ and that shall be proved to have been committed
‘ within one whole Year before the Exceptions
‘ exhibited : And that the Persons, against whom
‘ the Exceptions are taken, shall have like Liberty
‘ to produce Witnesses, to be examined in like
‘ Manner on their Behalf.

V. ‘ That the Treasurers shall have Power to
‘ examine, Whether the Elders that are to be
‘ chosen, be so qualified, as is expressed in the
‘ Ordinance, or Directions, which hath passed
‘ both Houses.

VI. ‘ That in case the Election of any Elder of
‘ a Congregation, upon just Proof and Examina-
‘ tion, be found by the Tryers appointed for that
‘ Purpose to be unduly made ; the said Tryers
‘ may order such Elder to be removed, and another
‘ to be chosen in his Place.

VII. ‘ That the Chapels or Places in the Houses
‘ of the King, and his Children, shall continue
‘ free for the Exercise of Divine Duties, to be per-
‘ formed according to the *Directory*, and not o-
‘ therwise.

VIII. ‘ That the Chapels or Places in the House
‘ of Peers of this Realm shall have the like Free-
‘ dom.

IX. ‘ That the *Savoy* Parish shall be reckoned
‘ within the Eleventh Classis of *London*.

X. ‘ That the Chapel of the *Rolls*, the Two
‘ *Serjeants-Inns*, and the Four *Inns* of Court, shall
‘ be a Province of themselves.

‘ That the Presbytery of the Chapel of the *Rolls*,
‘ the Two *Serjeants-Inns*, and the Four *Inns* of
‘ Court, shall be divided into Two Classis.

‘ That *Lincoln’s-Inn*, *Grey’s-Inn*, *Serjeants-
Inn* in *Chancery-Lane*, and the *Rolls*, shall be
‘ one Classis : That the Two *Temples*, and *Ser-
jeants-Inn* in *Fleet-Street*, shall be the other
‘ Classis.

XI. ‘ That the Classical Assemblies in each
‘ Province shall assemble themselves within one
‘ Month

‘ Month after they shall be constituted, and this
‘ *Ordinance* published; and shall thenceforth hold
‘ their Meetings monthly by Adjournment, or
‘ oftener, if need be, in such a certain Place, as
‘ shall be most convenient for the Ease of the
‘ People.

An. 21. Car. I.
1645.

March.

‘ XII. That, out of every Congregational El-
‘ dership, there shall be Two Elders, or more,
‘ not exceeding the Number of Four, and One
‘ Minister, sent to every Classis.

XIII. ‘ That all Persons, guilty of notorious
‘ and scandalous Offences, and more particularly
‘ all Renouncers of the true Protestant Religion,
‘ professed in the Church of *England*; and all Per-
‘ sons that shall, by Preaching or Writing, main-
‘ tain any such Errors as do subvert any of those
‘ Articles, the Ignorance whereof do render any
‘ Person excluded from the Sacrament of the Lord’s
‘ Supper; and all Persons that shall make any
‘ Images or Pictures of the Trinity, or of any
‘ Person thereof; and all Persons in whom Malice
‘ appears, and they refuse to be reconciled; and
‘ the same appearing upon just Proof; all such
‘ Persons may be suspended from the Sacrament of
‘ the Lord’s Supper.

XIV. ‘ That, in every Province, Persons shall
‘ be chosen by the Houses of Parliament, that shall
‘ be Commissioners to judge of scandalous Offences
‘ (not enumerated in any *Ordinance* of Parlia-
‘ ment) to them presented: And that the Elder-
‘ ship of that Congregation, where the said Offence
‘ was committed, shall, upon Examination and
‘ Proof of such scandalous Offence (in like Man-
‘ ner as is to be done in the Offences enumerated)
‘ certify the same to the Commissioners, together
‘ with the Proof taken before them: And, before
‘ the said Certificate, the Party accused shall have
‘ Liberty to make such Defence as he shall think
‘ fit before the said Eldership, and also before the
‘ Commissioners, before any Certificate shall be
‘ made to the Parliament: And if the said Com-
‘ missioners,

An. 27. Car. 1.

1645.

March.

‘missioners, after Examination of all Parties, shall
 ‘determine the Offence, so presented and proved,
 ‘to be scandalous, and the same shall certify to
 ‘the Congregation; the Eldership thereof may su-
 ‘spend such Person from the Sacrament of the
 ‘Lord’s Supper, in like Manner as in Cases enu-
 ‘merated in any *Ordinance* of Parliament.

XV. ‘That such Persons as shall be chosen for
 ‘Commissioners to judge of notorious and scan-
 ‘dalous Offences as aforesaid, shall be Men of
 ‘good Understanding in Matters of Religion, sound
 ‘in the Faith, prudent, discreet, grave, and of
 ‘unblameable Conversation, and such as do usual-
 ‘ly receive the Sacrament of the Lord’s Supper, as
 ‘Members of a Presbyterial Congregation.

XVI. ‘That if any Person shall commit any
 ‘scandalous Offence (not enumerated in any *Or-
 ‘dinance* of Parliament) upon the Day of the Ad-
 ‘ministration of the Sacrament of the Lord’s Sup-
 ‘per, in the Face of the Congregation, after it is
 ‘assembled, the Minister of that Congregation
 ‘may forbear to administer the Sacrament to such
 ‘a Person for that Time: And he shall, within
 ‘eight Days after, certify the said Offence and For-
 ‘bearance unto the Commissioners aforesaid: And,
 ‘upon Certificate so made, the said Commissioners
 ‘shall proceed thereupon, as in other Cases not
 ‘enumerated; and shall make Certificate of the
 ‘Case or Cases, with their Opinions, to both
 ‘Houses of Parliament, with all Speed: And,
 ‘thereupon, the Parliament shall proceed to a final
 ‘Determination of the Case; and send the same
 ‘Determination thereof to the Parish where such
 ‘Offence shall have been committed: And, as
 ‘often as the like Case shall fall out in any Con-
 ‘gregation, the Eldership thereof, having Notice
 ‘of such Determination, shall proceed thereupon,
 ‘as in Case of Offences enumerated in any *Ordi-
 ‘nance* of Parliament.

XVII. ‘That the said Commissioners (upon
 ‘Notice given to them, or any Two of them, of
 ‘any

any Case of Scandal befallen, whereof they ought
to have Cognizance by virtue of any *Ordinance*
of Parliament) shall assemble themselves in such
certain Place, within that Province, as may be
most convenient for the Ease of the People; and
thereof shall give timely Notice to the Ministers of
that Province, whereof they are Commissioners;
and, being met, shall adjourn their Meeting,
from Time to Time, for such Time as the Case
shall require.

An. 21. Car. I.

1645.

March.

XVIII. That the Eldership of each Congregation, or the major Part of them, as also the
Classis of each Province, or major Part of them,
and also the Provincial Commissioners, or major
Part of them, after they shall be assembled, shall
have Power, by Warrant under their Hands, in
all Cases whereof they have Cognizance, by any
Ordinance of Parliament, to convent before them
all Persons, against whom any Complaint shall
be brought by virtue of any such *Ordinance*;
and all such Witnesses as shall be named, according
to any such *Ordinance*, for the Discovery of
the Truth of any such Complaint: And, in case
any such Person shall refuse to appear, not being
a Peer of this Realm, Member of the House of
Commons, or Assistant of the House of Peers, or
Officer of the House of Parliament, then, upon
Complaint made to the next Justice of the Peace,
the Party refusing shall be brought before him;
and, in case of obstinate Persisting, shall be committed
by the said Justice of Peace, till he submit
to Order.

XIX. That if any Member of a Congregation shall, by virtue of any *Ordinance* of Parliament, for any Offence of Scandal, be suspended
from the Sacrament of the Lord's Supper; and,
being so suspended, shall offer himself to any other
Congregation to receive the Sacrament of the
Lord's Supper together with them; such Congregation,
having Notice of such Suspension, shall
not, without Certificate from the Congregation
whereof

An. 27. Car. 1. 1645. ' whereof he is a Member, admit him unto the
' Sacrament.

March.

XX. ' That any Minister of a Congregation
' may be suspended from giving or receiving, and
' any Elder from receiving the Sacrament of the
' Lord's Supper, for the same Causes, and in the
' same Manner, and have like Benefits of Appeal,
' as any other Person may by any *Ordinance* of
' Parliament: And, after such Suspension of the
' Elder from the Sacrament, the Elder, so suspend-
' ed, shall not execute that Office during his Su-
' spension, untill the Appeal be determined: And
' if, upon the Appeal, the Suspension appear to
' have been just, then another to be chosen in his
' Place.

XXI. ' That, in all Cases of Appeal to the
' Classial, Provincial, or National Assembly, they
' shall have Power respectively to proceed there-
' upon by Examination of Witnesses, and other-
' wise, in such Manner as the Congregational El-
' dership, from which the Appeal ariseth, are
' enabled to do by any *Ordinance* of Parliament;
' and shall certify such their Proceedings unto the
' said Eldership.

XXII. ' That, in case of such Suspension of
' any Minister, the Classis whereunto the said
' Congregation doth belong, shall appoint some
' fit Person or Persons for the Supply of that Place
' during such Suspension; and shall have Power to
' allow convenient Maintenance for that End,
' out of the Profits belonging to the Minister so
' suspended: And have hereby Power to sequester
' and employ the same for that Purpose.

XXIII. ' That in all Cases of Suspension of
' any Person from the Sacrament, the Party su-
' spended (upon Manifestation of his or her Re-
' pentance, before the Eldership by whom the
' Party was suspended) shall be admitted again un-
' to the Sacrament of the Lord's Supper; and the
' Suspension thenceforth shall be void. Provided,
' That, if the said Commissioners, or any Two of
' them,

‘ them, shall not determine the Case so certified, An. 21. Car. I.
 ‘ as aforesaid, to them from the Eldership, within 1645.
 ‘ six Weeks after the Certificate to them made; }
 ‘ the Party is hereby enjoined to forbear coming March.
 ‘ to the Sacrament, untill the Cause shall be de-
 ‘ termined, or untill he give Satisfaction to the
 ‘ Eldership.

March 16. The Houses were inform’d, by *Let-
 ters* from Mr. Secretary *Rushworth*, of some more
 Success gain’d by the Forces under the Command
 of Sir *Thomas Fairfax*, in the *West of England*;
 which we shall give in his own Words, in the
 Manner they stand in the *Lords Journals*; obser-
 ving that none of these *Letters* from himself are
 published in his own *Collections*, only some Ex-
 tracts of them given by way of Narrative or Re-
 lation; but those from Sir *Thomas Fairfax* are
 therein printed at large.

For the Honourable WILLIAM LENTHALL, Esq;
 SPEAKER of the Honourable House of COMMONS.

S I R,

‘ I N my last I acquainted you of the Defeat gi- Letters relating
 ‘ ven the Party of the Enemy’s Horse, where- General Fair-
 ‘ in Major-General *Porter* and others were taken fax’s further Suc-
 ‘ Prisoners, being on *Saturday* last; and also of an cess in the West
 ‘ Inclination of the Lord *Hopton* to treat, yet, of England,
 ‘ withall, endeavouring to get Time and a Cessa-
 ‘ tion of Arms, both which were denied; where-
 ‘ upon the Army, from their several Quarters,
 ‘ marched on *Monday* to *Probus* and *Tregoney*,
 ‘ within four or five Miles of *Truro*, the Head
 ‘ Quarters being at *Tregoney*, where our Forlorne
 ‘ came near unto the Enemy. They stood in
 ‘ a peaceable Manner, not offering to give Re-
 ‘ sistance, saying there was a Cessation agreed un-
 ‘ to, and they hoped there would be a Peace.
 ‘ Our Officers had much ado to persuade them
 ‘ there was no Cessation, and therefore it did be-
 ‘ hove them not to stay any longer, but to retire

An. 21, Car. 1.

1645.

March.

to their Places of Advantage; or otherwise our
 Officers would, as they might at this present have
 done, take Advantage upon them, by falling on
 them. They did very kindly thank our Officers
 and Soldiers for their Civility that they did for-
 bear, there being no Cessation; and so retired
 back. It is conceived the Lord *Hopton* did bruit
 this abroad amongst his own Men, as concluded
 by us, to the Intent that our Men might fall foul
 on them, and so provoke them to some desperate
 Engagement; but it had another Effect, for the
 Terror was such throughout their Army upon
 Advance of the whole of ours in Sight, that the
 Lord *Hopton* was enforced to send a Trumpeter
 at Twelve o'Clock at Night to desire a Parley,
 expressing his Willingness to lose no Time in
 making an End: And indeed if that had not
 come to keep their Men together, they had been
 in great Disorder. The Offer was accepted;
 whereupon, about Three o'Clock in the Morn-
 ing, the Trumpeter was returned with our Com-
 missioners Names; that is to say, Commissary-
 General *Henry Ireton*, Colonel *John Lambert*,
 Commissary-General *Stone*, *Richard Deane* the
 Comptroller of the Ordnance, and Colonel *John*
St. Aubin. The Place agreed to treat at was
Tresillian Bridge, near *Truro*; the Time, Nine
 o'Clock this Morning, the Treaty to continue
 three Hours after; but the Lord *Hopton* failed to
 send his Commissioners Names till past Nine.
 Our Army, Horse and Foot, being at a Rendezvous
 by Six o'Clock, were advanced from their seve-
 ral Quarters, between Nine and Ten, within
 two Miles of *Truro*, the Trumpeter then coming
 with the Commissioners Names, who are these,
 Colonel *Charles Goring*, Colonel *Thomas Panton*,
 Colonel *Jordan Bodville*, Colonel *Marcus Trevor*,
 and Sir *Richard Prideaux*, Knt. the King's High
 Sheriff of this County, whom they nominated;
 Colonel *John St. Aubin* being the High Sheriff
 nominated by the Parliament. They also de-
 sired that Colonel *Gautier*, a *Frenchman*, might
 be

' be added, which was agreed on; and Captain *An. 21. Car. I.*
 ' *Edward Herle* was added to our Commissioners. 1645.
 ' The safe Convoys from both Generals were sent
 ' this Day between Ten and Eleven o'Clock, with
 ' a Letter from the General to the Lord *Hopton*,
 ' letting him know that, his Army being on a
 ' March, he intended to quarter at *Truro* this
 ' Night, which he thought good to give him No-
 ' tice of, that his Forces might withdraw; and, if
 ' he pleased, in regard it might be late before the
 ' Treaty might be agreed unto, the Bounds being
 ' set for each Party to quarter in, there might be
 ' a Cessation of Arms till To-morrow Morning at
 ' Six o'Clock; by which Time you need not doubt
 ' but all Things will be concluded on.

March.

' The Sum of the whole will be, as I conceive,
 ' and as Instructions are given according to the
 ' General's first Proposition, the Lord *Hopton's*
 ' Officers and Soldiers must all lay down their
 ' Arms, yet the Officers to march away with their
 ' Horse, and such Arms as they used to wear in
 ' peaceable Times; and have Passes to their several
 ' Houses or beyond the Sea, if they desire it, en-
 ' gaging themselves never to bear Arms against the
 ' Parliament. The common Soldiers to deliver
 ' up their Horses and Arms, and to have 20s. al-
 ' lowed them a Man to carry them home; by this
 ' Article I hope there will be good Recruits, and
 ' a good Number of sufficient Horses got for the
 ' Army. For the Foreigners and Strangers to have
 ' Leave to depart the Kingdom, they likewise en-
 ' gaging themselves never to bear Arms more a-
 ' gainst the Parliament; and their Officers to have
 ' their Horses with them. This, indeed, we are
 ' informed, will suit well to the Strangers Desires,
 ' they being afraid Quarter would be denied them,
 ' as indeed most of them do deserve it: But it is in
 ' relation to the Point of Time that these Things
 ' are propounded and pursued, to the end that this
 ' Field-Force might be totally scattered; and that
 ' the *Irish*, which are every Day expected to land

An. 21. Car. I.
1645.

March.

‘ in these Parts, may not have such a Body of Horse to join with them.

‘ This is all the Account I can give of this Business; and I hope, when it is effected, (of which you need not doubt) the Consequence will be greater than it is at present expected. God hath struck our Enemies Hearts with Fear, otherwise, having such a brave Body of Horse, they would not have been compelled to listen to and seek for a Treaty. In a few Hours there will another Express be sent unto you, with the Particulars of what is concluded on. I thought good to dispatch this Messenger, tho’ the Journey be long, to prevent Misreports that might go upon this Business.’

*From the Rendezvous with-
in two Miles of Truro,
March 10, 1645, Twelve
at Noon.*

Your humble Servant,

J. RUSHWORTH.

P. S. ‘ I thought to stay the sending of this Letter till next Day, and give you this further Account: Our Army, according to former Purpose, marched into *Truro*, and possessed themselves of the Town, and another Part of it to *St. Allon's*, within three Miles of the North Sea, which is the only Piece of Land the Enemy have left to break through, if they intend it; but our Guards are so strong, and our Quarters, so disposed of, that there is not the least Fear of it, we having them now before us in a Pound.

‘ The Commissioners met Yesterday about Three of the Clock, and continued treating till almost Ten. Some Progress they have made, but there are so many Circumstances concerning the Articles, and the Manner of performing them; as, how those shall be conveyed that are to go beyond the Seas; how these are to be conveyed that are to go to their several Homes; and other Things of that Nature, that it occasioned a Necessity last Night to agree that the Treaty might be continued for this Day also, and their Commissioners to come this Forenoon to *Truro*, to
‘ finish

‘ finish the Treaty there. The Cessation being agreed to, their Soldiers come to our Quarters, and we go to theirs; and they are now so fully possessed of our fair Intentions towards them, that it concerned the Lord *Hopton* to dispatch the Treaty, else he is like to have few to attend him. The Lord *Hopton* does really profess that he was ignorant of the Prince’s Going; and that they are Traitors that had a Hand in it: And I believe that it is a Thing that much works with him that the Prince should be so carried away.’

An. 27. Car. I.
1645.

March.

Truro, March 11,
Eleven at Noon.

J. R.

*For the Honourable WILLIAM LENTHALL, Esq;
SPEAKER of the Honourable House of COMMONS.
Haste, These.*

S I R,

‘ I Wrote to you this Day of the further Progress of the Treaty: It held all this Day, and till Twelve at Night, and yet could not be finished, though all the material Parts were over; those which remained, though only circumstantial, yet so necessary to be concluded in order to perfecting of the Treaty, that more Time is granted for the finishing thereof; so the Treaty and Cessation is to continue To-morrow also, and the Rendezvous of this Army which should have been To-morrow, is put off till next Day; at which Time the Enemy is likewise to draw out to a Rendezvous; and there according to the Articles, or as shall be further agreed on, dismount their common Troops, and deliver up their Horses and Arms.

‘ The Enemy is so impatient till the Treaty be done, that this very Day there hath been no less than between thirty and forty Lieutenant-Colonels, Majors, and Captains come away from the Enemy to us, besides others that come to visit our Quarters that did return this Evening; likewise there came a Captain and forty Gentlemen

An. 21. Car. 1.
1645.

March.

of Quality, with their Horses and Arms, who likewise, by the Articles, were to have the Benefit of their Horses; and there also came from Penryn ninety-six common Soldiers with their Muskets, and Matches lighted, and twelve since came, and forty more gone another Way; which so disheartned Col. *Trevanion*, then with his Regiment at Penryn, as also the Governor of the Fort of *St. Mawes* near *Falmouth*, that they sent to the General late this Evening, desiring to be included in the Treaty with the Lord *Hopton*, and have the same Conditions with the other Officers; which are Passes to go home, and Protections to live quietly from the Violence of the Soldiers.

We conceive there will be in all (Officers and others of Quality being allowed their Horses according to the Articles) near 2000 Horse that will come to be delivered up to the General; and tho' they stand us in 2000*l.* Horses and Arms, yet they will be worth 10,000*l.* at least to the State; but what is the most considerable Thing in this great Business, is the dissolving of such a Strength, by which Means the *West of England* is cleared of a Field-Enemy, and foreign Adversaries deprived of that Assistance they did expect from this Force whilst it was in so considerable a Body.

We doubt not but that *Pendennis* will, upon the disbanding of these Forces, incline to moderate Terms; the Governor thereof is a Gentleman of Quality, and certainly will not be pleased with his Inferiors having Liberty of enjoying their own, and himself as it were in Prison enjoying nothing that is his own.

I cannot express with what Joy most of the Officers receive those Conditions, and wish they had sooner known our Intentions towards them. Those that are the most discontented at this Business, were the Troopers that are to be dismounted; but many of them, during this Cessation, used Ways to recompense themselves in a handsome Manner, and ours too, by exchanging their good

‘ good Horses for our bad ones, receiving 20 or 30 l. An. 27. Car. 1.
 ‘ in Exchange from our Troopers, and reserving 1645.
 ‘ the bad Horses to themselves, in order to have
 ‘ 20 l. upon the Delivery of them up to us again;
 ‘ so we have many of the Horses already, though
 ‘ not according to the Treaty.

March.

‘ I had Directions to prepare a *Letter* for the
 ‘ Committee of the Army to make Stop of the pro-
 ‘ viding of Horses for the Train, for that here will
 ‘ be 600 to be spared for that Purpose, and the rest
 ‘ that are serviceable to be likewise disposed of for
 ‘ the Recruits of the Army.’ I am,

S I R,

Truro, March 11,
 1645.

Your humble Servant,

J. RUSHWORTH.

P. S. ‘ I stayed the Messenger till this Forenoon,
 ‘ but can add no more than that the Commissioners
 ‘ are met; and, as some of them tell me, have
 ‘ almost finished the Treaty. I shall, as soon as
 ‘ it is signed by both Sides, send an Express with
 ‘ the Contents. Though one Army visits another
 ‘ during this Cessation, yet we are more circum-
 ‘ spect in keeping strong Guards than when the
 ‘ Enemy was most active against us. This Morn-
 ‘ ing 100 Soldiers of Col. *Champion*’s came in with
 ‘ Muskets, Swords, and Bandaliers.’

J. R.

March 18. This Day a *Letter* from the Earl
 of Rutland and Lord Montague was read, giving
 a further Account of the Siege of Newark.

To the Right Honourable the SPEAKER of the House
 of PEERS.

My Lord,

‘ THE Affairs before Newark, thro’ God’s And concerning
 ‘ Blessing, go on well; Col. *Legard*’s Regi- the Siege of
 ‘ ment is come from York, and the Officers and Newark.
 ‘ Soldiers are all as one Man to perform the Ser-
 vice

An. 21. Car. 1.
1645.

March.

vice they are appointed, full of Courage and healthful. Half the Line we hope will be finished on *Wednesday* next, and the other with all possible Speed. One of the Bridges crosses *Trent*, against *Winthorp*, was ready three Days since; the *Trent* there divides; the other Bridge will be finished in a Day or two. We have brought a Pinnacle Musket within half a Mile of *Newark*, wherein are two Guns, and which will hold 40 Musketeers. The whole Canon from *York* is come to *Winthorp*. One strong Fort is made to secure the Bridge, another is preparing near the Enemy's great Sconce. The whole Culverins and the Mortar-Pieces are come to *Balderton* and *Faringdon*. The great Mortar-Piece is to be run on *Wednesday* at *Nottingham*. We hope in God to lose no Time, nor omit any Opportunity in reducing *Newark*, and to give your Lordship a full, good, and speedy Account thereof.

Your humble Servants,

Lincoln, March 14,

1645.

J. RUTLAND,
E. MONTAGUE.

P. S. 'The Earl of *Dumfermline's* Regiment of Foot is come to General *Lesley*.'

The Parliament
resolve to invite
the Prince of
Wales into their
Quarters,

About this Time it was the Commons came to a Resolution to invite the Prince of *Wales* into the Parliament's Quarters, and to reside in such Place, with such Council and such Attendance as both Houses should think fit to appoint. The Lords having agreed to this, a Committee of both Houses was appointed to prepare a *Letter* to be sent to the General, and in it another of Invitation to the Prince. It seems the House of Commons had been informed, That his Highness was got into the Isle of *Scilly*, and were in great Pain lest he should transport himself from thence into foreign Parts. This Committee having presented a Draught of a *Letter* to be sent to the Prince, the Lords agreed to

to it, and ordered it to the Commons for their Concurrence. There is not a Copy of this *Letter* entered in either of the *Journals*; but it seems it did not please the Lower House; for, on the reading of it, the Question was put, Whether to agree with the Lords in the *Letter* to be sent to the Prince? the House divided, Yeas 52, Noes 84; the Question thus passing in the Negative, another Committee of their own House alone was then appointed to meet that Afternoon, and prepare a *Letter* to be sent to the Prince, according to the *Vote* of both Houses, to invite him into the Parliament's Quarters: But tho' the Lords sent down a *Message* to urge them to send this *Letter* away, because they said it might prevent great Inconveniences, yet we hear no more of it for some Days.

An. 27. Car. I.
1645.

March.

March 23. The whole Business of the House of Lords, this Day, was reading a *Letter* which gave an Account of the Parliament's Success in different Parts of the Kingdom; particularly, from the *West* of England, where Sir Thomas Fairfax had reduced the Lord Hopton, and the Forces under his Command, to so low a State, that they were obliged to surrender themselves on the best Articles they could get. These are inserted, at length, in the *Lords Journals*, together with a *Letter* from Sir Thomas Fairfax on the Occasion; and are all printed in Mr. Rushworth's *Collections*^h. The very same Day came *Letters* from others of the Parliament's Commanders, with an Account of a signal Victory gained over the King's Forces, near Stow on the *Wold*, in Gloucestershire, wherein Sir Jacob Astley, the King's General, was taken Prisoner. The Manner how is best related by their own Words. And first a *Letter* to Thomas Pury, Esq; a Member of the House:

Honoured Friend,

According to the Command I received from the Right Honourable the Committee of both Kingdoms, I drew out from Hereford 600

Account of the
Defeat of the
King's Army by
Sir Jacob Astley,
at Stow, in Gloucestershire.

Horse

An. 21. Car. 1.

1645.

March.

‘ Horse and Foot, with which I joined on the
 ‘ Lord’s Day last, with Col. *Morgan’s* and the
 ‘ *Evesham* Forces. I led my own Men in Person,
 ‘ and so we lay waiting, about *Evesham*, the En-
 ‘ my’s Motion for six Days together, every Day
 ‘ expecting to be engaged. The Enemy came
 ‘ over the River *Avon* very strong, as it was report-
 ‘ ed 3000, and so came before us to *Stow* this
 ‘ Morning; but we followed them close all Night,
 ‘ and this Morning, about Break of Day, we joined
 ‘ Battle; and after a hot Dispute, very hard and
 ‘ dubious, we rooted them and took Prisoners the
 ‘ General himself, with divers Colonels, Captains,
 ‘ and other Commission-Officers, the Particulars
 ‘ whereof I cannot yet send up, having slain about
 ‘ 200 upon the Place with little Loss of ours. We
 ‘ give God the Glory of all. Sir, I beseech you
 ‘ excuse my Brevity at present, being, upon our
 ‘ March back, and continue to believe me

Stow, March 21,

1645,

Five in the Evening.

Your most real Servant,

JO. BIRCH.

The next was addressed to the Speaker of the
 House of Commons.

S I R,

‘ GOD, blessed be his Name, hath rescued us
 ‘ as gloriously and graciously this Day as in
 ‘ many of his former and great Mercies. After
 ‘ two Nights and a Day’s March we came to Co-
 ‘ lonel *Morgan* and Col. *Birch*, about three of the
 ‘ Clock this Morning, near *Stow* and *Castle Hills*.
 ‘ We fell on between four and five. It was car-
 ‘ ried on somewhat doubtfully, and almost danger-
 ‘ ously, at first; but God renewed our Courage to
 ‘ gain the Day. We have taken Sir *Jacob Aspley*
 ‘ Prisoner, and some Colonels and Lieutenant-Co-
 ‘ lonels also, and all the Foot with their Arms.
 ‘ At Leisure will give the Particulars. God who
 hath

'hath done all must have the Glory. The Lord An. 21. Car. I.
'increase our Thankfulness more and more. 1645.

S I R,

March.

Stow, March 21, 1645,
Seven o'Clock in the
Morning.

I am your Servant,

W. BRERETON.

P. S. 'The Bearer was an Eye-Witness, and
'can say more; myself can testify the most gallant
'and valiant Behaviour of our two above-named
'Colonels *Birch* and *Morgan*.'

Both the foregoing *Letters* seem to promise the
Particulars of this Battle which proved so fatal to
the King's Affairs; but we find no more of them
In the *Journals*: However, in the Pamphlets of
these Times, we meet with the following Narrative
addressed to the Speaker of the House of Com-
mons; there is no Name subscribed to it, but it
is said, in the Title-Page, to be wrote by a Gentle-
man of Quality and Credit under Sir *William*
Brereton; and runs thus: "

Honourable Sir,

'According to my Engagements, I shall give
'**A** you an Account of the Proceedings of our
'Forces, in reference to our great Victory at
'Stow. Sir *William Brereton* having Intelligence
'of Sir *Jacob Astley's* March, and being invited
'by valiant and active Colonel *Morgan*, to follow
'and set upon him, he forthwith marched from
'Litchfield with about 1000 Horse to *Colehill*, and
'from thence through *Warwick Town* toward
'Stratford upon *Avon*; where Sir *William* had In-
'telligence that Col. *Morgan* was returned back
'as far as *Cambden*, by reason of his Intelligence of
'the Crossings and Counter-Marches of Sir *Jacob*
'*Astley*; insomuch that Sir *William Brereton* was
'forced (out of his earnest Desire to meet and join
with

An. 21. Car. 1.

1645.

March.

‘ with *Morgan*, as was mainly intended) to march,
 ‘ up and down, backward and forward, at least
 ‘ thirty Miles, to overtake him, and at last did so;
 ‘ and then being joined, we all marched about a
 ‘ Mile, by which Time the Scouts had brought
 ‘ us Word that the Enemy was drawn up into a
 ‘ Body near *Stow* on the *Wold*, at which all our
 ‘ Soldiers greatly rejoiced, being very desirous to
 ‘ engage.

‘ Then we marched the whole Army in Bat-
 ‘ talia; and, after we had discovered them also
 ‘ standing in Battalia, we faced them an Hour be-
 ‘ fore we fought, both Sides waiting and longing
 ‘ for Day Light. Then Sir *William Brereton* and
 ‘ Col. *Morgan* agreed, without any Difference, in
 ‘ drawing up of the Army, which was ordered as
 ‘ follows: Sir *William Brereton* led the Right
 ‘ Wing of Horse, which were those that came with
 ‘ him from *Litchfield*; and the *Gloucestershire* Men
 ‘ were placed in the Left Wing; Col. *Morgan* him-
 ‘ self most gallantly led the Van. Our Word was,
 ‘ *God be our Guide*; the Enemy’s Word was,
 ‘ *Patrick and George*.

‘ Upon the first Charge the Enemy forced our
 ‘ Left Wing to a disorderly Retreat, by over-
 ‘ powering them; so that the Victory, at first,
 ‘ seemed somewhat doubtful; but Sir *William*
 ‘ *Brereton* most bravely going on with the Right
 ‘ Wing of Horse, and, at least, 200 Firelocks,
 ‘ fiercely charged their Left, both of Horse and
 ‘ Foot, and totally routed them. In which
 ‘ brave Piece of Service, undaunted and valiant
 ‘ Major *Hawksworth* had a principal Hand, and
 ‘ was a main Help, utterly to rout and put to flight
 ‘ all the Left Wing of the Enemy. Col. *Morgan*,
 ‘ by this Time, performed his Charge so bravely
 ‘ also, and with so much Courage and good Suc-
 ‘ cess, that having rallied his Men up gallantly a-
 ‘ gain against the Enemy, he put them also to an
 ‘ absolute Rout; and so they pursued them into
 ‘ *Stow*, killing and wounding many in the Town,
 ‘ both

‘ both Gentlemen and Officers of Quality ; and in this Pursuit Major *Hawksworth’s* Man (as I was credibly informed) took the Lord *Astley* Prisoner, and all his Foot-Officers were then also taken Prisoners ; and Sir *Charles Lucas* (as was credibly reported) was then also taken in the Fight, but immediately after rescued by a Party of Firelocks of the Enemy, and on his Rescue fled into the Wood hard by for hoped Safety ; but after the Fight, our Forces searching the Wood for Straglers, found there the said Sir *Charles Lucas*, even he who formerly had done the King great Service in the *North*, and was Governor of *Berkley* Castle ; but now was taken Prisoner again and put into safe Custody.

An. 27. Car. I.
1645.

March.

‘ This most remarkable Piece of Service being thus successfully performed, and Sir *Jacob Astley* being taken Captive, and wearied in this Fight, and being antient (for old Age’s Silver Hairs had quite covered over his Head and Beard) the Soldiers brought him a Drum to sit and rest himself upon ; who being seated, he said (as I was most credibly informed) unto our Soldiers, *Gentlemen, ye may now sit down and play, for you have done all your Work, if you fall not out among yourselves.* Meaning, indeed, that, now he being thus beaten, the King had never another Army in the Field in the whole Kingdom.

‘ There were taken in this famous Fight and glorious Victory, Sir *Jacob Astley*, alias Lord *Astley*, the General ; Sir *Charles Lucas* ; Colonels, *Corbet*, *Gerrard*, *Moulsworth* ; Lieutenant-Colonel *Broughton* ; 3 Majors ; 17 Captains ; 16 Lieutenants, their Marshall-General ; 11 Ensigns ; 5 Cornets ; 3 Quarter-Masters, the Surgeon, and Sir *William Vaughan’s* Chaplain ; 2000 Arms at least, and all their Ammunition, Bag and Baggage. A brave, famous, and most seasonable Victory it was indeed ; and a most hopeful Way and Means of a speedy End, by God’s Mercy, of all the intestine Wars and bloody Broils

An. 21. Car. 1. 1645. ‘ Broils in the Kingdom. To God alone be all
the Honour and Glory thereof.’

March.

This last Victory produced the following *Order*.

A Thanksgiving
Day appointed
by Parliament on
that Occasion,

‘ Ordered by the Lords and Commons in Parlia-
ment assembled, That on *Thursday* Se’nnight
and *Thursday* three Weeks, being the Days ap-
pointed to be set apart for Days of publick
Thanksgivings in the Cities of *London* and *West-*
minster, and in the other Parts of the Kingdom,
for the Success of the Army in the *West* under
the Command of Sir *Thomas Fairfax*, General,
That the several Ministers do, on the said Days,
take particular Notice of the Blessing of God up-
on the Forces of the Parliament in taking Sir
Jacob Asley Prisoner, and totally routing and de-
feating the Forces under his Command, near
Stow in the County of *Gloucester*.’

For the last mentioned Defeat of the Lord *Hop-*
ton in the *West*, and all the other great Services
General *Fairfax* had done the Parliament, having
been the most fortunate Commander, in one Cam-
paign, that ever led an Army, the Houses could
do no less than join in the following *Letter* of
Thanks to him; which was ordered to be entered
in their *Journals*, in *perpetuam Rei Memoriam*.

To the Rt. Hon. Sir THOMAS FAIRFAX,
General of the Forces under the Command of the
Parliament.

S I R,

And a Letter of
Congratulation
sent to Sir Tho-
mas Fairfax on
his late Successes.

WE are commanded, by both Houses of
Parliament, to express the great Sense
they have of your active, vigorous, and faithful
Discharge of that Trust which they have reposed
in you. They do observe how happily you have
timed, and how prudently you have carried on,
all your Designs and Actions; and do very much
‘ ap-

‘ approve your Judgment in the Way of gaining
 ‘ the Enemies Army and the County of *Cornwal*
 ‘ under your Power in so short a Space, and with
 ‘ so little Loss of *English* Blood ; which, added to
 ‘ your former Endeavours and Successes, hath put
 ‘ the Affairs of the Parliament, in this Beginning
 ‘ of the Year, into such a Condition as was be-
 ‘ yond their Hopes and Expectations, for which
 ‘ we are commanded to return you their hearty
 ‘ Thanks : And as they are resolved to give ample
 ‘ Testimony to the World of the high Esteem
 ‘ they have of your Person and Merit, so they
 ‘ desire you to let all the Officers and Soldiers
 ‘ under your Command to know they shall not
 ‘ forget their unwearied Labours and Sufferances in
 ‘ this great and glorious Cause. We rest

An. 27. Car. I.
 1645.

March.

Your very loving Friends,

MANCHESTER, *Speaker of
 the House of Peers pro Tempore.*

W. LENTHALL, *Speaker of
 the Commons House in Parliament.*

The last Business of this Day was reading a
Letter from the Scots Commissioners, short enough
 in Words, as well as in Expression. It related
 to the Affair of the unknown Persons, before men-
 tioned, their Defamers ; and is signed by them all
 in order to shew they were in earnest.

*To the Right Honourable the Speaker of the House
 of PEERS pro Tempore.*

My Lord,

‘ IT is about two Months since we acquainted
 ‘ the House about the false Informations of
 ‘ *Robert Wright* and the unknown Knight, and
 ‘ desired the Name of the one to be discovered, and
 ‘ speedy Examination concerning the other ; in
 ‘ pursuance thereof the earnest Desires of the King-
 ‘ dom of *Scotland* have been made known to the
 ‘ Houses,

The Scots Com-
 missioners de-
 mand an Answer
 to their last Com-
 plaint.

304 The Parliamentary HISTORY

An. 21. Car. 1.
1645.

March.

‘ Houses, and ours have been renewed from Time
‘ to Time; we being most confident that Justice
‘ would never be denied by the Houses to the King-
‘ dom of *Scotland*, in a Matter wherein they were
‘ so highly concerned: Now, for discharging of the
‘ Trust committed unto us, we hold ourselves in
‘ Duty bound once again to press a speedy *Answer*
‘ from the Honourable Houses to our just Desires,
‘ expecting it shall be such as all the World may
‘ receive Satisfaction that those Informations are
‘ but Lies and Calumnies.’

Your Lordship's

Worcester - House,
March 23, 1645.

Most affectionate Friends

and humble Servants,

BALMERINO,
LAUDERDALE,
A. JOHNSTON,

LOUDON,
H. KENNEDY,
P. BARCLAY.

March 24. The last remarkable Affair of this Year, is another *Message* from the King, presented this Day, to the Lords, by their Speaker, and read as follows :

For the SPEAKER of the House of PEERS *pro Tempore*. To be communicated to the two Houses of Parliament at *Westminster*.

CHARLES R.

Another Mes-
sage, March 23,
from the King
for Peace.

NOtwithstanding the unexpected Silence instead of Answer to his Majesty's many and gracious Messages to both Houses, whereby it may appear that they desire to obtain their Ends by Force rather than Treaty, which may justly discourage his Majesty from any more Overtures of that Kind; yet his Majesty conceives he shall be much wanting to his Duty to God, and in what he oweth to the Safety of his People, if he should not intend to prevent the great Inconveniencies that may otherwise hinder a safe and well-grounded Peace. His Majesty therefore
now

now proposeth that (so he may have the Faith of both Houses of Parliament for the Preservation of his Honour, Person, and Estate, and that Liberty be given to all those who do and have adhered to his Majesty, to go to their own Houses, and there to live peaceably, enjoying their Estates, all Sequestrations being taken off, without being compelled to take any Oath not enjoined by the undoubted Laws of the Kingdom, or being put to any other Molestation whatsoever) he will immediately disband all his Forces and dismantle all his Garrisons; and being accompanied with his Royal, not his Martial, Attendance, return to his two Houses of Parliament, and there reside with them. And, for the better Security of all his Majesty's Subjects, he proposeth that he, with his said two Houses, immediately upon his coming to Westminster, will pass an Act of Oblivion and free Pardon; and where his Majesty will further do whatsoever they will advise him for the Good and Peace of this Kingdom.

An. 27. Car. I.

1645.

March.

And as for the Kingdom of Scotland, his Majesty hath made no Mention of it here, in regard of the great Loss of Time which must now be spent in expecting an Answer from thence; but declares that, immediately upon his coming to Westminster, he will apply himself to give them all Satisfaction touching that Kingdom.

If his Majesty could possibly doubt the Success of this Offer, he could use many Arguments to persuade them to it; but shall only insist on that great one of giving an instant Peace to these afflicted Kingdoms.

Given at our Court at Oxford, the 23d of March,

1645.

The Lords sent this Letter down to the Commons, with a Desire that it might be communicated to the Scots Commissioners; and, as there were divers Particulars in it, whereof, they said, an happy Use might be made, conducing to the Peace of the three Kingdoms, they desired that a Committee of both Houses might be appointed to

An. 21. Car. I. consider of the *Letter*, to frame an *Answer*, and to send it, by the joint Consent of all, both *English* and *Scots*, to his Majesty:—But this we postpone to its due Order of Time.

1645.

March.

New Writs issued
for supplying Vacancies in the
House of Commons.

Thus ended the legal Year 1645: A Year which has produced a greater Variety of interesting Affairs than any hitherto, since the first Meeting of this Parliament. — A short Digression, therefore, by way of Review of some Transactions past, and illustrating what is to come, may here be very necessary.

It has already been observed, in the Beginning of our Ninth Volume, That within twelve Months after the Battle of *Naseby*, in *June* 1645, near 150 Writs were issued out by the House of Commons, for supplying the Places of such Members as were dead, and of others who had been disabled from sitting there in 1642 and 1643, for taking Part with the King. — These Vacancies, which amounted to full one Third Part of the House, (many Writs being issued for two Members) were filled up mostly by those that were of the *Independent Party*: A Circumstance which will help to account for the Divisions upon contested Questions being larger than usual, and also for the much greater Changes that ensued.

This Affair took its Rise from a Petition presented by the Burgesses of *Southwark*, in *August* 1645, desiring a new Election; Mr. *White*, one of their Members, being dead, and Mr. *Bagshaw*, the other, disabled by *Vote* *. The Account of the Debate thereof, which happened on the 14th, is thus given by Mr. *Whitlocke* ^b; ‘Some were of Opinion a new Election might prove inconvenient and of Danger: Others press’d it as the Right of the Subject to have Burgesses: Upon the Question, To defer it for a Month longer, it was carried in the Negative, and the House resolved into a Grand Committee to consider of it. Accordingly, on the 21st, this Matter was resumed, and it was carried, by

* See Vol. IX. p. 4.

^b *Memorials*, p. 160.

by three Voices^c, to have new Elections; and the Speaker was ordered to issue out his Warrants to that Purpose; but with this Restriction, 'That no Person elected should sit in the House till he took 'the Covenant.' And on the first of September it was resolved, 'That no Person should be chosen 'who had borne Arms against the Parliament.'

An. 27. Car. I.

1645.

March

General Ludlow's Account of this Matter runs thus^d: 'The House of Commons finding their Business to increase, and their Numbers to diminish, by the Death of some and Desertion of others to the King at Oxford, ordered the Commissioners of the Great Seal to issue out Writs to such Counties, Cities, and Boroughs, as the House, by their particular Order, should direct, for the Election of Members to serve in Parliament:—

But their best Friends were not without Fears what the Issue of their new Elections might be; for though the People durst not chuse such as were open Enemies to them, yet probably they would such as were most likely to be for a Peace upon any Terms, corruptly preferring the Fruition of their Estates and sensual Enjoyments before the Public Interest; which Sort of Men were no less dangerous than the other: And therefore honest Men, in all Parts, did what they could to promote the Election of such as were most hearty for the Accomplishment of our Deliverance; judging it to be of the highest Importance so to wind up Things, that we might not be over-reach'd by our Enemies in a Treaty, that had not been able to contend with us in open War.'

The *Diaries*, or printed *News-Papers*, of these Times afford us some very wholesome Instructions to the Country on this Occasion, too remarkable to be pass'd over:

Chuse Men of able Parts, Knowledge, Courage, and Expression; Professors of Religion, exact in all
U 2 *Duties*

^c The *Journals* confirm this Circumstance of three Voices, the Numbers being 65 against 62: But it appears by those Authorities, That the Division was upon the first Question August 14th, and not on the 21st.

^d *Memoirs*, Vol. I. p. 165, and 157.

An. 21. Car. I.

1645.

March.

Duties, holy towards God, and just towards all Men; free from Covetousness, Oppression, and Partiality: Chuse none that have any Dependence upon another, for such cannot be yours further than another will permit; chuse those as have Estates in your Counties, and not such as want to get Estates by their Country's Ruin: Chuse such as have been Opposers of illegal Taxes, Loans, Ship-Money, and Monopolies. Take heed not to chuse any Man that has been a Receiver of the People's Money, without his first making a clear Account to the Kingdom. Lastly, Judge of your Candidates by their Lives and Practices, not by their Words, Professions, or Protestations; for though a Man's Faith shall justify him before God, yet the Faith of the Men you elect ought to be manifested to you by their Actions.

But how ineffectual all these Admonitions were, appears by the many Unconstitutional Methods made Use of to carry Elections, at this Crisis, in *Warwickshire, Berkshire, Cambridgeshire, Staffordshire, Somersetshire*, and other Parts of the Kingdom; all which are related at large by these *Intelligencers*, but are far too tedious for our Purpose; and the more unnecessary, as they are thus very briefly, and very justly, recapitulated by Lord *Holles* in his *Memoirs* ^c.

^c In the long Summer Vacation of the Year 1645, when very many of the Members were gone into their several Countries, they [the *Independent Party*] fall upon that Point of recruiting the House; and notwithstanding the Thinness thereof, and its being surprized with that Debate, their Creatures, most of them there, (as they were always sure of some fifty Voices, Persons whose only Employment was there to drudge and carry on their Masters Work, having thereby a Greatness far above the Sphere they had formerly moved in; whereas the others were Gentlemen who had Estates which required their looking after, and all of them some Vocations, either for their particular Business or Pleasure, which made them less dili-
gent,

gent, and many of them, as at other Times, so then away) yet they carried it but by three Voices.

An. 21. Car. I.
1645.

March.

Then to Work they go to canvass for Elections in all Places, for the bringing in of such as should be wholly theirs. First they did all they could to stop Writs from going any whither but where they were sure to have fit Men chosen for their Turns, and many an unjust Thing was done by them in that Kind: Sometimes denying Writs, sometimes delaying till they had prepared all Things, and made it, as they thought, cock-sure: Many Times Committee-Men in the Country, such as were their Creatures, appearing grossly, and bandying to carry Elections for them; sometimes they did it fairly by the Power of the Army, causing Soldiers to be sent and quartered in the Towns where Elections were to be, awing and terrifying, sometimes abusing, and offering Violence to, the Electors. And when these undue Elections were complained of, and questioned at the Committee of Privileges, there appeared such palpable Partiality, so much Injustice, such Delays and Tricks to vex Parties grieved and their Witnesses, such countenancing and defending those who had done the Wrong, as it disheartened every Body, and made many even sit down, and give over Prosecution.

Thus much by way of Illustration, proceed we now with the Business of both Houses.

March 25. The Journals of this Year begin with the Parliament's monthly Fast, which now fell out on the Feast of the Annunciation, or *Lady-Day*:—But both the Feasts and Fasts of the Church had been some Time abolished, to make Way for the new Institutions of Parliamentary Fasts and Thanksgivings.

Anno 1646.

March 26. This Day was almost wholly taken up by the Lords in considering the *Propositions* for Peace to be sent to the King, and his Majesty's last *Message*, but nothing concluded in either:

Ap. 22. Car. 1.
1646.

March.

Therefore, for Want of News at home, we insert some more from abroad, communicated by the Parliament's Agent in *Holland*, in the following Letter :

*For the Right Hon. the Lord GREY of Warke,
Speaker of the House of LORDS, London.*

Right Honourable,

A Letter from
Mr. Strickland,
the Parliament's
Resident at the
Hague.

THE Duke of Orleans had given Orders to prepare a Fleet of Ships, of which he had appointed one Capt. *Foran*, a *Frenchman*, who hath been in the *States* Service ever since the Loss of *Rochell*, to be Admiral: The Number of Ships were to be 24, of which 14 are hired. The Intent of this was against the Parliament, as appeared by *Goffe's* Letters^f: This same *Goffe*, and *Webster* and others, were about it at the *Hague*; but the *States* have resolved that Fleet shall not go out, at which the Enemies of our Kingdom are much troubled; having conceived to themselves very great Things from this Preparation, of which breaking the Trade of *London* was one.

I remember your Lordships wrote to me, that you had some Conference with the *Dutch* Ambassador concerning the Growth of the Crown of *France*, and your Thoughts of it; the late Fears and Jealousies of a Match betwixt *France* and *Spain*, and that the Portion should be the transferring the Provinces, now held by the *Spaniard*, to the *French*, hath so fully made good what your Lordships then said, that all the Assurances the Resident of *France* here, or the *French* themselves to the *States* Ambassadors at *Paris*, (that the Offers of the *Spaniards* are fully rejected by the Queen.

^f These Letters are all published at large in *Husbands's Collections*, p. 831, & seq. (Fol. Edit. printed in 1646) under the Title of *The Lord George Digby's Cabinet and Dr. Goff's Negotiations; together with his Majesty's, the Queen's, the Lord Jermy'n's, and other Letters, taken at the Battle of Sherborn, in Yorkshire, about the 15th of October, 1645.*

Queen Regent of *France*, and that the *French* An. 22. Car. I. 1646. will not treat but conjointly by the *States*) is not enough to settle their Fears and Apprehensions; and to induce them not to think it fit to make the *Spaniards* Affairs so desperate, as to oblige them to grant such Conditions to the *French*; but rather inclined to treat with them, and so make a Peace: Yet, as I said, the *French* Ministers do abundantly endeavour to take away these Jealousies, by assuring the *States* that the Queen of *France* doth willingly reject the Offer the *Spaniards* made here, of referring the Differences betwixt the two Crowns to her and the Duke of *Orleans*, the Prince of *Conde* and Cardinal *Mazarine*; and that the Queen and Cardinal *Mazarine* will not treat with the *Spaniard* but at *Munster*, and by communicating all to the *States*. Yet this is not enough, as it seems, for they seem more inclined to treat at *Munster* than, as they were wont, to solicit *France* for the usual Subsidies that State yearly gives them, (to come into the Field with a good Army and extraordinary Assistance) with which they were wont to raise new Men.

March.

My Lord, these Things seem to me to deserve the Thoughts of the Parliament, and to think whether now be not a Season for us to consider our Interests here, when we seem to have Advantages which will not last always. I am,

My Lord,

Hague, March 19,
1646.

Your Lordship's humble Servant,

WALTER STRICKLAND.

March 30. The Lords made an Order to take into Consideration, the next Day, how the Counties of the Kingdom might be eased of the Taxations and Assessments lying upon them, since it had pleased God to give such Success to the Forces under the Command of the Parliament,
and

312 The Parliamentary History

An. 22. Car. I. and there being now no visible Army that the King had; but nothing was done in this very important Point till some Time after.

1646.
March.

The same Day both Houses agreed on the Form of a Letter to be sent to the Prince of Wales; which was in hæc Verba:

S I R,

Another from both Houses to the Prince of Wales.

THE Lords and Commons assembled in the Parliament of England, being inform'd that your Highness is lately removed into the Isle of Scilly, have commanded us in their Names, to invite you to come forthwith into their Quarters; and to reside in such Place, and with such Council and Attendants about you, as the two Houses shall think fit to appoint. This being all we have in Charge, we take Leave to rest

Your Highness's humble Servants,

MANCHESTER,

Speaker of the House of Peers

pro Tempore.

WILLIAM LENTHALL,

Speaker of the Commons House

in Parliament.

Their Orders, in case of the King's Coming to London,

March 31. The following Vote of the House of Commons was sent up to the Lords for their Concurrence, ' That in case the King, contrary to the Advice of the Houses of Parliament already given him, should come, or attempt to come, within the Lines of Communication; that then the Committee of the Militia of London shall have Power, and are hereby enjoined, upon Advice had with the Committee of the Lords and Commons for the Army, to raise such Forces as they shall think necessary to prevent any Tumult that may arise by his Coming; to suppress any that shall happen; to apprehend and secure such as shall come with him; to prevent Resort to him, and

‘and to secure his Person.’—This the Lords agreed to, with the Addition of the Words from *Danger.*

An. 22. Car. II.
1646.

April.

April. This Month begins with an *Order* for a general Thanksgiving, for the great Success of the Army under Sir *Thomas Fairfax* against the Enemy in the *West*, in breaking and destroying their Armies, and giving them up into the Hands of the Parliament.

Next, the Lords went into a Committee to debate an *Ordinance* for *Martial Law*, when some Alterations and Provisoes were added to it. Then the whole was read a third Time, and the Question being put, Whether to agree to this *Ordinance* now read? it was carried in the Affirmative. The following Lords, before the putting the Question, desired Leave to enter their Dissents, if it was carried against them; and they signed accordingly:

ESSEX. MANCHESTER. WILLOUGHBY.
LINCOLN. BOLINGBROKE. BERKELEY.
SUFFOLK. ROBERTS. BRUCE.

Though this *Ordinance* was to continue in Force only three Months; yet as it gave Occasion to a Protest, an Abstract thereof may not be improper: Hereby Sir *Thomas Fairfax*, Major-General *Skippon*, and about forty more, Officers, Civilians, and common Lawyers, or any twelve or more of them, were appointed a Court-Martial within *London* and *Westminster*, and the Lines of Communication, to sit on all such as should offend against the Articles following:

1. ‘None to go from the Parliament’s to the King’s Quarters, or correspond with the Enemy without Leave, on Pain of Death or other corporal Punishment.

2. ‘Nor

^a This *Ordinance* is given at large in *Rushworth’s Collections*, Vol. VI. p. 252, and *Husbands’s*, p. 374. In the latter of these all the Names of the Commissioners are particularized.

An. 22. Car. 1.

1646.

April.

2. 'Nor harbour or relieve, knowingly, any one in Arms against the Parliament, on the same Penalty.

3. 'He who should surrender or betray any strong Place, contrary to the Rules of War, to suffer Death.

4. 'Nor mutiny, under the same Penalty.

5. 'To suffer an Officer, taken by the Parliament, to escape, if wilfully, Death; if negligently, corporal Punishment.

6. 'All who, having taken the *Covenant*, shall yet take Arms against the Parliament, to die without Mercy; as should also all Deserters.

7. 'Whoever comes from the King's Quarters, or has been there for a Month past, or borne Arms against the Parliament, and shall come into their Quarters without a Pass, Drum, or Trumpet, and not render himself within forty-eight Hours, to die without Mercy; as also all Spies.

'The said Commissioners were impowered to issue Warrants, to sit at their Discretion, and appoint a Judge-Advocate and Provost-Marshal; and all Mayors and Sheriffs to be aiding, &c. But this *Ordinance* not to extend to any Member of either House; no Sentence to pass but upon Testimony of two Witnesses, or Confession of the Party; no Execution of Death till after six Days Notice to both Houses.

The *Answer* to the King's last *Message* being at length agreed to by both Houses and the Scots Commissioners, it was ordered to be sent, under Cover, to Sir Thomas Glemham, Governor of Oxford, where the King yet was, by a Trumpeter. This *Answer* is very concise, and ran in these Words:

May it please your Majesty,

The Parliament's
Answer to the
King's last Mes-
sage.

WE your humble and loyal Subjects of both Kingdoms, having received your Letter of the 23d Inst, do humbly return this
Answer,

Answer, That untill Satisfaction and Security be given to both your Kingdoms, and for the Reasons mentioned in our *Answer* to your former *Letters*, your Majesty's Coming here cannot be for your own Good nor your Kingdoms, nor by us admitted: But your Majesty's Assent unto the *Propositions*, which we intend speedily to present, will be the effectual Means to give the Satisfaction and Security we desire.

An. 22. Car. I.

1646.

April,

April 3. An Ordinance was agreed to, by both Houses, for banishing all Papists from the Cities of London and Westminster, and all other Places within the Lines of Communication; together with all Officers, Soldiers of Fortune, and other Persons, who have borne Arms against the Parliament, in three Days Time. If, after that, they were seen within the said Limits, they were to be declared Spies, and to suffer, by Martial-Law, accordingly. This Precaution was taken to prevent any Tumults which might happen, if the King came to London; for notwithstanding the Parliament's positive Refusal, in their last *Letter* to him, they were in great Apprehensions of a Visit from his Majesty.

Their Ordinance for banishing all Papists, &c. from London.

A *Letter* from the Earl of Rutland and Lord Montague was this Day read to the Lords; in which were Copies of the *Summons* sent into Newark, and the Governor's *Answer* to it. The *Letter* we shall give as follows; but the others being printed in Mr. Rushworth, we shall content ourselves with referring to his *Collections* for them.

For the Right Honourable the SPEAKER of the House of PEERS pro Tempore.

May it please your Lordship,

ON Saturday last we met with the Earls of London and Dumfermline, the Lord Balcar- ras, Sir David Hume, Sir Thomas Ker, Sir Tho-

A Letter concerning the Siege of Newark.

mas

316 The Parliamentary History

An. 22, Car. 1.
1646.

April.

was Ruthen, Mr. Glendinning, and Mr. John-
sten, Committees of the Parliament of Scotland;
and did, that Day, agree upon and send Summons
into Newark. We have here inclosed sent your
Lordships Copies of our Summons and the An-
swer; and, since the Mercy of the Parliament is
neglected, we hope, by such other Means as
God and the Parliament have put into our Hands,
ere long to reduce that Place. The Yorkshire Committee have wrote to us to
be disengaged from the Promise of Repayment of
what the Counties of Lincoln, Leicesters, and Nor-
tingham should, for the present, lay out for the
Quarters of the Yorkshire Horse, in regard their
Ordinance was expired; and that they sensibly
find, by Experience, they are not like to raise
any considerable Sums of Money so long as the
Scotts Horse continue their heavy Burthens upon
that County; we therefore (for that without pre-
sent Payment these Counties cannot provide for
these Horse) shall be necessitated to send them
into Yorkshire; and the Line being now finish-
ed, we hope they may be spared without much
Prejudice to the Service.

Colonel Poyntz doubts not but presently to
turn the River quite into a new Channel, that
their Mills may not be helpful to them, or the
Water hinder the Approaches on the North Side
Trent. The Field-Officers have viewed the
most convenient Places for Forts, either to shoot
into the Town or Scones, which are in Prepa-
ration, and will speedily be finished; and we
shall lose no Time to make a good End of this
Service.

Your Lordship's most humble Servants,

Lincoln, March 31,
1646.

J. RUTLAND.

EDW. MONTAGUE.

April 6. As a farther Proof that the Parliament
expected a sudden Visit from the King, the Earl
of Northumberland, this Day, presented to the
Lords

Lords a Copy of some *Orders* made by the Committee of the Army for the City Militia to act by, in case such an Accident should happen. The Principal of which were these, *viz.*

An. 22. Car. I.
1646.

April.

‘ That if the King should come up to any of the Guards, the Commanding Officer there should, with such Force as might be procured, conduct his Majesty to St. James’s House; and place a Guard there to secure his Person from Danger, and prevent any Resort unto him, untill both Houses were made acquainted therewith. *Further Orders, in Expectation of the King’s coming to London.*

‘ That the said Officer on Guard should apprehend and secure such Persons as come along with the King, and put them into such Prisons and Places as the Committee for the Militia should think fit, till the Houses give further Orders.

‘ That the said Officer should take Care to prevent any Persons from resorting to the King; and in case any should endeavour, in a forcible Manner, to have Access to him, that then he shall apprehend and secure them till further Orders.

‘ And, in case of Resistance in any of the Cases aforesaid, that the Officers and Soldiers should, by Force of Arms, according to the Course of War, observe these Directions, in pursuance of the *Ordinance* of Parliament.’

Upon this Occasion the Committee for the Militia were ordered to strengthen their Guards both within and without the Lines, and employ only such Men as, for their Fidelity and Abilities, they could confide in.

April 7. Notwithstanding the Parliament’s great Successes lately, and that the King had now nothing like the Face of an Army in the Field, they were not willing to disband any of their Forces; but, this Day, agreed to an *Ordinance* for continuing the Army under Sir Thomas Fairfax for four Months longer.

Nothing material happening in the *Journals*, except some short Accounts of the Progress of the Siege

An. 22. Car. 1.
1646.

April.

Siege before *Newark*, and a Demand from the *Scots Army* there for greater Supplies of Ammunition, &c. we pass on to

April 15, When the Report of a Conference between the two Houses was made to the Lords, by their Speaker, to this Purpose :

A Conference on concerning a printed Book, intituled, *Some Papers of the Commissioners of Scotland*, &c. wherein were found some Things both scandalous and false; and that the House of Commons had made the following *Vote* upon it, in which they desired their Lordships Concurrence:

Resolved, by the and Commons assembled in Parliament, ‘ That the Book intituled, *Some Papers of the Commissioners of Scotland*, given in lately to the Houses of Parliament, concerning the Propositions of Peace, printed for Robert Bostock, dwelling at the Sign of the King’s Head, in Paul’s Church-Yard, April 11, 1646, doth contain in it Matters scandalous and false; and they do thereupon order that it be forthwith burnt by the Hands of the common Hangman; and do declare, that the Author and Publisher thereof is an Incendiary between the two Kingdoms of *England and Scotland*.’

This *Vote* being read, the Speaker said, ‘ That the Commons had already made some Inquiry into the Business, and had examined *Bostock*, the Printer, who he had the Copy of the Book from; who at first denied, but afterwards confessed that he had it from the Clerk to the *Scots Commissioners*. The Commons said he was not asked any Thing concerning the *Scots Commissioners*, nor did they intend it; but that it was a free and voluntary Confession of *Bostock*.’

‘ That the Commons said further at this Conference, That there was, in the *Preface* to this Book, an Endeavour, by Intimation, to draw the People from the Parliament. And because they would not settle the Government of the Church in the Way some desire, therefore they would settle

settle none. And because the Parliament would not settle the Militia of this Kingdom also, as some desired, it therefore appeared that the Houses of Parliament would have no *Peace*, and did intend to alter the Government of the Kingdom.

An. 22. Car. I.
1646.
April.

‘ Lastly, the Commons were of Opinion, That unless some *Declaration* be speedily published to vindicate the Parliament from these Scandals, there may much Prejudice come to their Proceedings: Therefore the House of Commons intended speedily to publish a *Declaration*, That it is the Intent of Parliament to settle Church-Government as near as they can to the Word of God; and that they do not intend to alter the Government of the Kingdom; but because this would require some Time, they thought fit, for the present, to make this *Vote*, wherein they desired their Lordships Concurrence.

Then the Book was read to the Lords, and it was ordered that this Business should be taken into Consideration the next Morning, and all the Lords in Town to have Notice to attend.

But, notwithstanding this *Order*, the Affair was not entered into that Day by the Lords, though a Message came up to them, from the Commons, to desire their Lordships to expedite their Concurrence to the *Vote* about the Book; because nothing being yet done in it, the Contriver and Framers was run away, and they knew not how to proceed against him. However,

April 17. The Lords resumed the Affair, and, a long Debate arising, several Divisions, on Questions, were made; as, Whether the *Vote* of the House of Commons, on the Book, should be put as it was brought up from them, or divided into Parts? and it was carried for the former. Then the whole *Vote* of the Commons being read, another Question was put, Whether to agree with the House of Commons in this *Vote*? The Numbers being equal, nothing was concluded on this Day. But

On

An. 22. Car. I.
1646.

April.

On the next Day, this Affair being again brought on the Carpet, some Alterations and Amendments were proposed to be made in the *Vote*; and they being read, the Question was put, Whether to pass the *Vote* which came from the House of Commons with these Alterations, &c. it was carried in the Affirmative, and this *Resolution* was ordered to be sent down to them.

The Commons afterwards agreed to these Alterations of the Lords; and then the Substance of the *Vote* ran thus:

The Preface
thereto ordered to
be burnt.

‘Be it *ordained*, &c. That the *Epistle*, and the *Traēt* intituled *The State of the Question*, &c. in the Book intituled, *Some Papers*, &c. do contain in them Matters scandalous and false; and they do thereupon *ordain*, That *only* the said *Epistle* and *Traēt*, being the *Preface* to the said Book, be forthwith burnt by the Hands of the common Hangman. And do further *declare* and *ordain*, That the Author is a Person highly disaffected to the Parliament of *England*, and hath endeavoured to raise Sedition against it and the Kingdom; and that the Matter be put into a Way of Examination to find out the Author, and to enjoin all Persons whatsoever to discover him.’

Mr. *Whitlocke* writes, ‘That it was not without some Ground of Suspicion that some of the *Scots* Commissioners themselves encouraged, if not appointed, the Printing of this Book, which made others more sharp against it.’

Mr. *Rushworth* takes Notice that the *Scots* Commissioners delivered in several *Papers* relating to the *Propositions* of *Peace*, and mentions the Censure pass’d upon the *Preface* and the *State of the Question*, (which was the main Part objected to by Parliament, and the only one that suffered the Sentence of Fire, pronounced at first against the whole) but gives us neither of these; and what is called, in his *Collections*, the Substance of the *Papers* themselves, is an Abstract of some other *Papers* presented to Parliament several Days after.—We there-

therefore give the whole *Pamphlet* in question, from An. 22. Car. 1. the original Edition itself, preserved in the Collections of Sir *John Goodricke*^f; together with the Parliament's *Answer*, taken from the *Lords Journals*, and the *Declaration* of the Commons thereupon, published by their Order^g; as the best Way of laying before the Public a just Idea of this Dispute between the two Nations.

1646.

April.

At the same Time also the Commons ordered the *Answer* of both Houses, to some former *Papers* from the *Scots Commissioners*, to be published; but this is already given under its proper Date^h. And first

Some PAPERS of the COMMISSIONERS of Scotland, given in lately to the Houses of Parliament, concerning the Propositions of Peace.

To the READER.

Judicious and good Reader,

THE drawing up of Propositions for Peace to be sent unto the King, for a long Time hath taken up the Thoughts and Pains of those who sit at the Stern and Helm of Affairs. The Delay of sending the Propositions, of late hath busied the Phancies and Tongues of most Men, who do make it, at this Time, the ordinary Theme of their Discourses, which every one frameth right or wrong as he is carried by Interest; but chiefly and mainly as he is led by Information, reasoning to and fro, he layeth the Cause of the thus delaying to send Propositions to his Majesty, upon those whom he thinks and giveth out to be the Let.

VOL. XIV.

X

Now

^f It appears by the *Commons Journals* That, on the 23d of March 1645, that House resolved to accept of 1200 l. of this Gentleman, then a Prisoner in the Tower, as a Fine for his Delinquency in bearing Arms against the Parliament; with this Proviso, That he should settle 40 l. per Annum for ever, on the Curate of *Huntingsore*; and that the said Fine of 1200 l. be paid to *Thomas Stockdale*, Esq; towards the Satisfaction of his Losses for the Public.

^g Printed for *Edward Husbands*, Printer to the Honourable House of Commons, dwelling in *Fleetstreet*, at the Sign of the *Golden Dragon*, April 18, 1646.

^h December 10. In this Volume, p. 144, & seq.

An. 22. Car. I.

1646.

April.

Now, seeing the great Mistake of many well-minded Men in this Point, who, taking Things at the second Hand, without being able to dive to the Bottom and Ground of Affairs, shoot at Rovers, and do not attain the Mark; for the better Information of all those who love Truth, and that faithful Men, with Constancy to the Principles whereunto we are all sworn by our Solemn Covenant, and tied to by divers Treaties, Agreements, and Results, after so many Debates, Conferences, and mature Deliberation, be no more thus misunderstood; as they are by some, namely by those who are so much concern'd to know the Truth, and consequently to reject the sinister Reports, raised and spread abroad against Honesty and Integrity, with constant Faithfulness to the Glory of God and Good of his People; I having clearly understood, from very good Intelligence, the Cause in Hand, do set it down here truly and simply as it is re vera, without any Disguisement by stating the Question otherways than it is indeed, or by colouring it with affected Words; which I here present unto thee, judicious Reader, heartily for thy Satisfaction; with the Copy of three Papers given into the Houses of Parliament by the Commissioners of Scotland, which the last Day fell into my Hands. I pray thee to take in good Part this weak Expression for the Public Good, from him who constantly prayeth for the Welfare of Jerusalem, and wisheth thee to live in it happily and prosperously. Adieu.

The STATE of the QUESTION concerning the Propositions of Peace.

THE Commissioners of Scotland have for nine Months, ever since the 20th of June last, pressed the sending of the former Propositions agreed upon between the Kingdoms, presented to the King at Oxford, and whereof the most material were afterward debated upon at Uxbridge.

The Houses of Parliament, upon the sixth of August last, in answer to the Scots Commissioners, declared

clare, That Propositions shall be sent speedily, but that they intend to make some Alterations.

An. 22. Car. I.
1646.

After nine Months, the Houses deliver to the Scots Commissioners, upon the last of February, some new Propositions.

April.

The Commissioners of Scotland, upon the 16th of March, deliver in their Answer to these Propositions; wherein they observe, That all the Omissions, Additions, or Alterations made in the former Propositions, are in those Things which concern the joint Interest and Union of the Kingdoms.

Upon the 26th of March the Houses appoint a Committee to debate with the Scots Commissioners concerning the Differences, which are chiefly these:

1. Concerning Religion; the Houses make a general Proposition, desiring the King to assent to what they have or shall agree upon concerning Reformation of Religion, and concerning Uniformity in Religion, as the two Kingdoms shall agree.

The Commissioners desire to know the Particulars, that, after so long Consultation of the Divines of both Kingdoms, they may, with Knowledge and Assurance, consent to that Proposition. It was answered, The Houses had not resolved what Particulars to send; and the Commissioners of Scotland deny to consent till they be acquainted with the Particulars, and take them into Consideration.

2. Concerning the Militia; the Commissioners desire the former Proposition agreed upon between the Kingdoms, and debated at Uxbridge to be sent, especially because it doth nearly unite the Kingdoms.

The Houses, in their new Propositions, will have the Militia of the Kingdoms settled severally, each Kingdom by itself apart.

The Commissioners desire such a Conjunction at least, as both may, upon Occasion, join together for suppressing Insurrections, and opposing foreign Invasions.

The Houses will have the Militia settled in themselves from Time to Time, without any Limitation; and not only the King, but his Posterity and the Crown excluded in Time coming.

An. 22. Car. I.
1646.

April.

The Commissioners conceive it necessary, that, for the Security of the Kingdoms, the Militia should be so settled as the King may have no Power to make these Kingdoms twice miserable; but that this being a Case extraordinary, it should only be for a Time; and as, upon the one Part, they think it most dangerous the Militia should, after Expiration of that Time, be settled in the King alone; so they hold it very unsafe, that the Fundamental Laws of the Kingdom should be alter'd, and the Crown for ever excluded from all Interest and Right whatsoever; but, after Expiration of such a Time as shall be agreed upon, the ordering of the Militia may be by King and Parliament, according to the many Declarations of both Kingdoms, and particularly of the Houses of Parliament, who affirm it to be, by the Constitution and Fundamental Laws of the Kingdom, in King and Parliament together; and only in Cases extraordinary, when the King fails in his Duty, the Parliament alone to provide for the Security of the Kingdom¹.

3. Concerning Ireland; the Houses alledge, That the Transactions between the Kingdoms, made at Edinburgh, Nov. 28, 1643, are no Treaty.

The Commissioners make it appear that it is a Treaty; for that the English Commissioners had Power to treat, agree, and conclude; Articles are drawn up and agreed unto, which the Houses ratify and confirm in their Votes of the 9th of March and 11th of April, 1643; in the same Votes calling it a Treaty: And Scotland performs their Part of the Treaty; makes their Army stay, and advances to them a hundred thousand Pounds Sterling, at the Desire of England, who then, because of their low Condition, were not able to send them any Relief; and now the Houses make question to perform their Part of the Treaty to Scotland.

Lastly, The Difference is concerning four Propositions, formerly agreed upon between the Kingdoms, and omitted by the Houses in their new Propositions. They are:

1. The

¹ Husbands's Collection, 4th Edit. p. 207, 8; 722, 9, 30.

1. *The Proposition that Peace and War shall not be made without Consent of both Kingdoms.* An. 22. Car. I. 1646.

2. *For educating of the King's Children by Consent of both Kingdoms.* April.

3. *For disbanding the Armies by Consent of both Kingdoms.*

4. *For an Act of Oblivion by Consent of both.*

The Commissioners desire, that either the Propositions concerning Religion, the Militia, and Ireland, be sent along as was done at Uxbridge; or, if more be sent, that these Propositions which concern the joint Interest of both Kingdoms, may also be sent when others of less Moment are sent.

When the Committee of both Houses and the Commissioners had debated upon all these Differences, the Commissioners expected that both should have joined their Endeavours to find out Expedients for removing these Differences, and so come to a speedy Agreement: But the Committee of both Houses declared they had no Power to consent to the Alteration of the least Circumstance, though they were convinced in Reason; whereupon the Commissioners gave in a Paper, desiring the Houses to enlarge the Power of the Committee.

Some PAPERS of the COMMISSIONERS of Scotland, &c.

March 16, 1646.

OUR earnest Desires to have Religion settled in this Kingdom according to the Covenant, and to have both Kingdoms delivered from their present Troubles and Pressures, and established in a firm and happy Peace, that we ourselves and our Army might return to our own native Country with Comfort and Contentment, moved us these nine Months past often and earnestly to press, That the Propositions formerly agreed upon by the two Kingdoms might be sent to his Majesty; and the Answer of the Honourable Houses seven Months since, shewing their Resolution to send Propositions to his Majesty for such

The several Papers, which were annexed thereto.

An. 22. Car. 1.
1646.

April.

a *Peace*, hath moved us extremely to long for them.

Upon the 28th of *February* we received some of the *Propositions*, which your Lordships desire to be sent; and in Answer to our *Paper* of the second of this Instant *March*, expressing our Desire to know whether these were all the *Propositions* desired to be sent, or if we were to expect any other, it was returned upon the 4th of *March*, That these were all, except such as concern Delinquents and the City, which were speedily to be delivered unto us.

In the *Propositions* which we have received we cannot but observe, that the most material Additions, Omissions, and Alterations, as they are expressed in the *Paper*, wherein the Difference consists betwixt these and the *Propositions* formerly agreed upon, do trench upon the joint Interest of both Kingdoms, and tend to the loosening of the Bonds and weakening of the Sinews of our happy Union; which were not only notable Pledges and Evidences of reciprocal Kindness for the Time, to the Discouragement of the common Enemy, but were also powerful Means for conserving and perpetuating our common Peace and brotherly Amity for all Generations to come, to the despairing of all our Enemies ever to prevail, by their Plots or Attempts, against these so nearly and firmly united Kingdoms. This could not but be a Matter of Resentment and unspeakable Grief untous and to the Kingdom of *Scotland*, had we not Grounds of Assurance of the Intention of both Houses to the contrary, both from the inviolable *League and Covenant*, wherein we have all sworn, *To endeavour that these Kingdoms may remain conjoined in a firm Peace and Union to all Posterity*; and from their *Letter* of the 13th of *November*, 1645, to the Parliament of *Scotland*, expressing their Desire of a nearer Union and Conjunction between the Kingdoms: We come therefore to the particular Consideration of the *Propositions*.

We

' We first of all desire, That the Preface, Title, and Conclusion of the *Propositions* may be the same as formerly, or to that Sense. ^{An. 22. Car. I. 1646.}

' In the first Article we desire these Words, *the Parliament of that Kingdom*, to be added after these Words, *Convention of Estates in Scotland*, and we do agree to the 1st, 2^d, 3^d, and 4th *Propositions*.

April.

' To the 5th and 6th *Propositions*, we desire to see what the Houses have already agreed upon concerning Religion, and then we shall give in our *Answer* about these *Propositions*.

' To the 7th, 8th, 9th, 10th, 11th, and 12th *Propositions* we do agree; the Clause set down in the 11th Article of the former *Propositions*, and omitted in these, concerning the ratifying the Acts of the Convention of Estates and Parliament of Scotland, being added to the 12th *Proposition*.

' The *Treaty* at *Edinburgh* the 28th of *November*, 1643, which was comprehended in the former *Proposition* agreed upon between the Kingdoms, is excluded by these Words in this new 13th *Proposition*, and whereunto they are obliged by the *aforsaid* *Treaties*; for the Kingdoms were not obliged by any of the former *Treaties* to make a subsequent *Treaty*, and therefore we desire the said *Treaty* of the 28th of *November*, 1643, together with the *Ordinances* of the 9th of *March* and the 1st of *April*, ratifying the same, may be expressed in the *Proposition*, for which we offer the Reasons following:

' The Commissioners of the Parliament of *England* received particular *Instructions*, from the two Houses, to treat with the Kingdom of *Scotland* concerning the Maintenance of the *Scots* Army in *Ireland*, and ordering thereof in such Manner as might best conduce to the Prosecution of

* For the better Illustration of these *Objections* of the *Scots* Commissioners, we design'd to have subjoin'd such Passages of the *Propositions* as they excepted against: But this is not in our Power, they not being entered in Form in the *Journals* till fully settled in *July* following.

An. 22. Car. I.
1646.

April,

of that War, according to the Ends expressed in the *Covenant*. And by their *Instructions* communicated to the Convention of Estates of *Scotland*, according to the Direction of the Houses, they are expressly authorized to settle upon some Course with the Kingdom of *Scotland* to manage the War by the joint Advice of the Committees of both Kingdoms, and to prevent the Evils and Mischiefs that else might fall out for want of the same.

According to these *Instructions*, seven Articles are mutually agreed upon at *Edinburgh*, the 28th of *November*, 1643, by a Committee of both Kingdoms, after advising with the Agents and Officers sent from the *Scots Army*, and serious Debates and mature Deliberation upon the whole Matter between the Committees of both Kingdoms, as is acknowledged in the Preface of the *Treaty*.

In the fourth Article of that *Treaty* two Things are agreed on: 1. That he who doth or shall command in Chief over the *Scots Army*, by joint Consent of both Kingdoms, shall also command the rest of the *British Forces* in *Ireland*. 2. For the managing of that War, and prosecuting the Ends expressed in the *Covenant*, that the same be done by joint Advice with the Committees of both Kingdoms.

These Articles being agreed upon, were transmitted to the Houses of Parliament, and six of them ratified and approved in the *Votes* of both Houses of the 9th of *March* and 11th of *April*.

In the *Votes* of the 9th of *March*, the fourth Article concerning the Command in Chief, and the managing of the War with the joint Advice of both Kingdoms, is, *verbatim*, ratified by the Houses, and was presented at *Uxbridge*, to be confirmed by the King.

The Commissioners of *Scotland* having received *Instructions* from the Estates of Parliament for the perfecting of this *Treaty*, and the two Houses

‘ Houses having referred the same to the Consideration of the Committee of both Kingdoms, after a free Debate and full Deliberation, the third and fourth Articles of the *Treaty at Edinburgh* were agreed upon and perfected by them, and reported to both Houses, who ratified and approved the same in their *Votes* of the 11th of April.

An. 22. Car. I.
1646.

April.

‘ Concerning the Command in Chief, these Words were agreed upon: “That the Earl of *Leven*, Lord-General of the *Scots* Forces in *Ireland*, being now, by the *Votes* of both Houses, agreed to be Commander in Chief over all the Forces, as well *British* as *Scots*, according to the fourth Article of the Result of the Committee of both Kingdoms, passed both Houses, be desired, with all convenient Speed, by the Advice of the said Committees, to nominate and appoint a Commander in Chief, under his Excellency, over the said Forces, to reside with them upon the Place.”

‘ Concerning the managing of the War, it is agreed upon in these Words: “That the Committees be nominated and appointed by the joint Advice of both Kingdoms, of such Numbers and Qualities as shall be by them agreed on, to be sent with all convenient Speed to reside with the said Forces, and be enabled with full and ample Instructions, by the joint Advice of both Kingdoms, for the regulating of the said Forces, and the better carrying on of that War:” And both these Articles were delivered in at the *Treaty at Uxbridge*, and desired to be confirmed.

‘ That, according to these Articles, Committees are now in *Ireland* from both Kingdoms, for managing of the War.

‘ That these Articles of the 28th of *November*, 1643, are likewise ratified in the Parliament of *Scotland*, and registered as a *Treaty*.

‘ That the Houses of Parliament, in their *Votes* of the 9th of *March*, do, in Approbation of the sixth Article, acknowledge it to be a *Treaty*.

‘ That

An. 22. Car. 1.

1646.

April.

‘ That the *Votes* of the 9th of *March*, by Direction of the Houses, were delivered unto us as their Consent to the Articles of the said *Treaty* of the 28th of *November*; and the Houses, in their *Letter* of the 25th of *May*, did acquaint the Parliament of *Scotland*, that they had ratified and confirmed the several *Treaties* made and agreed between their Commissioners and the Convention of Estates in *Scotland*: And that it was their Desire the same might be done by the Parliament of *Scotland*, which they did accordingly.

‘ That these Articles were agreed upon between the Kingdoms, when the Parliament’s Army in *Munster* revolted from them, and when the *Scots* Army in *Ulster* had sent Agents to the Convention of Estates of *Scotland* to declare, That, by reason of their extreme Wants and Sufferings, occasioned by the Want of their Pay and necessary Maintenance, due by the Parliament of *England*, they were resolved to leave that Kingdom; whereby it would have been wholly lost to the Parliament of *England*, if the Kingdom of *Scotland* had not interposed, and, by taxing great Sums of Money upon the Kingdom of *Scotland*, and levying Provisions, had raised considerable Supplies, and sent them over for the present Subsistence of the *Scots* Army, untill the Parliament of *England* should be able to send them further Supplies; which both Houses do acknowledge in their said *Letter* of the 25th of *May* to the Parliament of *Scotland*, and do return their hearty Thanks to the Kingdom of *Scotland*, for their Care of that Army, and the great Charge they have been at for their Relief with Provisions and Money for their necessary Subsistence.

‘ Those Articles being treated upon by Committees of both Kingdoms, both in *Scotland* and *England*, being ratified by the Parliaments of both Kingdoms, and by both acknowledged to be a *Treaty*, presented with the *Propositions* of *Peace*, and debated at *Uxbridge*, and having as much, if not more, of the Formalities of a *Treaty* than

‘ than the first *Treaty* concerning the sending of *An. 22. Car. I.*
 ‘ the *Scots Army* into *Ireland*; we desire that this *1646.*
 ‘ *Treaty* may be inserted with the other *Treaties* in
 ‘ this *Proposition*, it being most reasonable that
 ‘ the *Treaty* made, and Conditions agreed on, for
 ‘ the Continuance of that starved Army in *Ireland*,
 ‘ should be of as great Force, and as well observed,
 ‘ as the *Treaty* made for the sending them over into
 ‘ *Ireland*.

April.

‘ As to the former Part of the *14th Proposition*,
 ‘ we desire it may stand as formerly, for the Rea-
 ‘ sons above expressed: And as to the latter Part
 ‘ now added, we desire that all the Articles con-
 ‘ cerning the settling of Religion in this Kingdom,
 ‘ may be extended to *Ireland*, according to the
 ‘ *Covenant*.

‘ The *15th Proposition*, concerning Delinquents,
 ‘ we have not received.

‘ To the *16th* and *17th Propositions* we do agree.

‘ In the *18th Proposition* we find so material Dif-
 ‘ ferences from that which was formerly agreed
 ‘ upon concerning the Militia, as may be Matter
 ‘ of long Debate what may be most conducive to
 ‘ the Security of both Kingdoms, and so retard
 ‘ the sending of the *Propositions*, and lose the pre-
 ‘ sent Opportunity of obtaining his Majesty’s Con-
 ‘ sent before he be engaged in some other Design,
 ‘ which may be a Ruin to himself, and a Matter of
 ‘ new Trouble to these Kingdoms.

‘ We desire it may be considered, that the for-
 ‘ mer *Propositions*, according to the Interest of both
 ‘ Kingdoms, did settle a Power in Commissioners
 ‘ of both Kingdoms for resisting all foreign Inva-
 ‘ sions, and for suppressing of all Forces raised
 ‘ within either of the said Kingdoms, to the Di-
 ‘ sturbance of their Peace; by which there was no
 ‘ Place left either to arbitrary Power, or to any
 ‘ Mistake or Jealousy that could be raised or fo-
 ‘ mented between the Kingdoms; or to any Pro-
 ‘ ject of Incendiaries, to divide the King from any
 ‘ of his Kingdoms, or one Kingdom from another.
 ‘ And we see no Reason why that which, at the
 ‘ framing

An. 22. Car. 1.

1646.

April.

framing of these *Propositions*, was esteemed as a great Service and a firm Foundation of Unity and mutual Confidence betwixt the Kingdoms, should now be altered, the Reasons for preventing thereof being as strong as ever: And this new *Proposition* contains nothing that may prevent those so great and obvious Inconveniences; but seems rather to argue a Diffidence and Jealousy, to the weakening of that mutual Confidence which was laid by the former *Propositions*.

Further, this new *Proposition* doth not provide how the Militia shall be ordered and disposed in the Intervals of Parliament, although, in another Case, by the 21st *Proposition*, concerning the Nomination of the Deputy or Chief Governor of Ireland, the Chancellor or Lord-Keeper, Lord-Treasurer, and other Officers and Ministers of England and Ireland, it is provided that, in the Intervals of Parliament, they shall be nominated by a Committee of Parliament. And if it be intended that, in like Manner, the Militia be ordered, in the Intervals of Parliament, by a Committee of Parliament, there is no Objection can be made against the former *Proposition*, for settling the Militia in Commissioners, which will not be as full against settling thereof in a Committee; for, by the former *Propositions*, the Commissioners were alterable from Time to Time by the Houses, and to receive and observe their Directions and Instructions.

We conceive also, as the Honourable Houses, upon Consideration of the manifold Troubles and Distractions of these Times, have wisely and necessarily resolved, for the Safety and Security of these Kingdoms, so to settle the Militia, as the King, although he were willing, be not able, by involving them again into a bloody War, to make them twice miserable; wherein we are ready most heartily to concur: So do we think it is not their Intention to divest the King's Posterity and Crown, for all Time coming, of all Power, Right, and Interest in the Matter of

Mi-

Militia, so as although they be never so willing
 to follow the Advice of their Parliaments, yet
 they shall for ever be incapable, and in no Time
 coming be admitted, to join with their Parlia-
 ments, for resisting their Enemies and protecting
 their Subjects; the Apprehension whereof may
 prolong the King's *Answer* and hinder his Con-
 sent, and, as may easily be collected from the
 Debates at *Uxbridge*, may be interpreted to be a
 Fundamental Alteration of the Government,
 contrary to the *Resolutions* and *Declarations* of
 both Kingdoms, and not so agreeable to the *Co-*
venant; may be made Use of by our Adversa-
 ries for such an Occasion of quarrelling as they
 never had before; may be made a Mean to bring
 the common Cause and our Carriage into Con-
 tempt, and used by our Enemies as a Motive for
 provoking foreign Princes and States to engage
 in a War against us: Both Parts were provided
 for in the former *Proposition*; upon the one Part,
 the Exercise and Execution of the Militia was
 not to be in the Power of the King; yet, upon
 the other Part, were the Commissioners, in whose
 Hands it was to be trusted, to have their Com-
 mission from the King and Parliament; and it
 was condescended upon at *Uxbridge*, that the
 Time should be limited to seven Years, and,
 after Expiration of that Term, to be settled and
 exercised in such Manner as his Majesty and the
 Parliaments of both Kingdoms respectively should
 think fit; but, by this new *Proposition* the whole
 Power is to be settled in the two Houses of Par-
 liament, and the Crown altogether excluded from
 all Interest in the Militia for ever; which there-
 fore requireth a new Consideration.

There is another Thing which we profess doth
 very much affect us, That whereas, in the *large*
Treaty of Peace, a Commission for the Preserva-
 tion of the *Peace* then settled between the King-
 doms, was judged most necessary, and was mu-
 tually agreed upon; and accordingly, in pursu-
 ance thereof, Commissioners were appointed by
 the

An. 22. Car. I.
1646.

April,

An. 22. Car. 1.
1646.

April.

the Parliament of *Scotland*, to whom the Houses of Parliament, upon several Occasions, made their Addresses to good Purpose. And whereas, in the former *Propositions*, several Articles were set down, with mutual Consent, for conserving the Peace firmly and inviolably for all Time to come; yet, in this new *Proposition*, although the Danger be no less, and the Necessity no less urgent, there is not so much as Mention made of any Mean to be used, or Course taken, for conserving the Peace between the Kingdoms, and betwixt the King and either of them; but all passed in Silence: All which necessary Considerations we offer to the Wisdom of the Honourable Houses, that they may continue in their Resolution to send the former *Propositions* as they were proposed at *Uxbridge*, which will be free of Debate, are more likely to be obtained of the King's Majesty, and will serve more for the Peace and good Correspondence of the Kingdoms, especially that the Conservation of Peace, for the future, may be provided for.

To the 19th and 20th *Propositions* we do agree.

To the 21st *Proposition* we do agree with this

Addition, "The like for the Kingdom of *Scotland* concerning the Nomination of the Lords of the Privy-Council, Lords of Session and Exchequer, Officers of State and Justice-General, in such Manner as the Estates in Parliament shall think fit."

The *Proposition* concerning the Education, Marriage, and choosing of the Tutors and Governors of the King's Children, by Consent of both Kingdoms, is omitted in these new *Propositions*.

The *Proposition* concerning the making of Peace or War, with foreign Princes and States, with Advice and Consent of both Kingdoms, is also omitted in these *Propositions*.

The *Proposition* concerning the Disbanding the Armies, by Consent of both Kingdoms, is likewise omitted.

The

‘ The *Proposition* for passing an Act of Oblivion in the Parliament of both Kingdoms, is omitted. An. 22. Car. I.
1646.

‘ We desire that the *Proposition* concerning the City of *London*, as also the *Propositions* concerning Delinquents, may be speedily delivered unto us that they may be dispatched with the rest. April.

‘ Upon the whole Matter, if the Houses of Parliament shall think fit, for the present, to send only the three *Propositions*, concerning *Religion*, the *Militia*, and *Ireland*, as they were proposed at *Uxbridge*, we do agree: But if they think fit that more *Propositions* be sent at this Time, we do desire that all the *Propositions* which concern the joint Interest of both Kingdoms, and are omitted in the new *Propositions*, may be sent likewise; although we are of the Judgment that every Particular and Circumstance of the *Propositions* is not of so great Importance to these Kingdoms, as that *Peace* and *War* should depend thereupon.

‘ Having thus freely, in such brotherly Manner as the Matter of Peace doth require, expressed our Sense of the *Propositions* delivered unto us; if there be any Mistake on our Part, or if there be any Point wherein the Honourable Houses are not satisfied, we are most willing and ready to give and receive all brotherly Satisfaction, by Conference or otherwise, in such Manner as shall be judged most behoveful and expeditious, and to give Testimony of our true and earnest Desires and Readiness to concur with the Honourable Houses, in all such Things as, upon a friendly Debate, shall be found conducive for procuring, settling, and propagating such a *Peace*, as we all desire for our Common Happiness.’

March 26, 1646.

‘ IT is not yet unknown to the Honourable Houses of Parliament, how long a Time we have waited here in Patience and Silence for the settling of Church-Government according to the Gove-

An. 22. Car. I.
1646.

April.

‘Covenant, and we ourselves know (for which we have many Witnesses at home in the Church of Scotland) how zealous we have been of the Honour of the Parliament in this Matter; what hath been our Care and Industry to persuade and assure, that although Hope deferred might make the Hearts of many to faint, yet when the Desire should come, it would be a Tree of Life: And that we were not to judge of the Model of Church Government in the Church of *England*, and of Uniformity with the Church of *Scotland*, by some previous and particular *Ordinances* of Parliament, which were but Parts of the Building; but were to expect the last *Ordinance*, which would supply the Defects of the former, and, by rearing up the whole House in Proportion and Beauty, would, in the End, give, to every judicious Eye and zealous Heart, a full Satisfaction. We do also, with Thankfulness, acknowledge and remember the Zeal of the Honourable Houses, in removing the Book of Common-Prayer, in abolishing Episcopal Government, and in other Parts of Reformation, and that, in the Time of their greatest Troubles and Dangers, which maketh their Work the more acceptable to God and all good Men; yet are we at this Time necessitated by our *Covenant*, our common Interest, and public Trust, to make Remonstrance of two Things most material and of greatest Consequence: One is, that through the long Delay of the settling of true Government of the Church, Heresies and Sects are so multiplied, and Schism hath so much prevailed, that if there be not in Time a powerful Remedy provided, this Church, after so many Miseries of a bloody and long lasting War, will be in worse Case than the former was, from which it was taken for a great Happiness to be delivered; and the Church of *Scotland*, after their many Sufferings in this Kingdom and at home, in greater Danger than it was in from the Prelates here, whose Usurpation was the Beginning of all our Calamities and Vexation.

‘The

‘ The Honourable Houses may be pleased to call to mind, that, in the *Large Treaty*, of the Date, *March 10, 1641*, the Commissioners of *Scotland*, from the Sense of the Troubles of that Church, arising from the Prelates of the Church of *England*, did, by many Arguments, press Unity in Religion, and Uniformity of Church-Government in the three Kingdoms, unto which, from the King and Parliament jointly, a comfortable and hopeful *Answer* was returned for obtaining their Desire. Thereafter, in the Year 1642, the General-Assembly of the Church of *Scotland*, seconded and assisted by the Lords of Secret Council, did, upon the same Grounds, renew the same Desire; and received from the Parliament of *England*, not only a Profession of their great Contentment in the Motion proposed, with many Thanks, but also a large Approbation of the Motives upon which it was urged; which were, *The more strict Union of both Kingdoms; more safe, easy, and comfortable Government of his Majesty, and, both to himself and People, more free Communion in all holy Exercises and Duties of Worship; more constant Security of Religion against the bloody Practices of Papists and deceitful Errors of other Sectaries; more profitable Use of the Ministry, in drawing them from unpleasant and unprofitable Controversies, to the pressing of Mortification, and to Treatises of true Piety and practical Divinity; the making of Way to the Relief and Deliverance of the poor afflicted Churches abroad, &c.* All which are expressed in their *Declaration and Resolution*, in Answer to the *Declaration* of the General Assembly, together with a sad Complaint, That the miserable Estate of this Church and Kingdom was not able to endure any longer Delay; and a Desire, That some godly and learned Divines might be sent from the Church of *Scotland*, whereby the so-much-desired Unity and Uniformity might be obtained. In the End, the mutual and joint Desires of both Kingdoms

An. 22. Car. I.

1646.

April.

An. 22. Car. 1.

1646.

April.

were concluded, and crowned with a *Solemn League and Covenant*, now translated into other Tongues, and known throughout all Christendom; which was taken, as for other good Ends, so for endeavouring the nearest Conjunction and Uniformity in Religion and Church-Government, and the Extirpation of Heresy and Schism.

All which considered, we may be bold to say, without Preface or Apology, (which about the like Purpose the Houses of Parliament, in that their *Declaration*, judged unnecessary) That it would be the Sin and Shame of the Church of *England*, and the Sorrow of all the Reformed Churches, particularly of the Church of *Scotland*, if, after so many Preparations, and so *Solemn League and Covenant* is entered into, for endeavouring the nearest Conjunction and Uniformity in Religion and Church-Government, and the Extirpation of Heresy and Schism; not only all Sorts of Blasphemies, Heresies, and Sects which are now multiplied, and Liberty of Conscience which is pleaded for, should have Place; but Unity and Uniformity in Religion, which is so much preached and written against, should be slighted, and the *Covenant* itself wrested and perverted to speak that which it never intended, and which did not enter into any Man's Mind in the Beginning; such a Violence as the Holy Scripture itself hath suffered from perverse and heretical Spirits; and this Church, after so long a Time, further from Uniformity amongst themselves and with other Reformed Churches, than they were at first when it was judged so necessary. Against these so dangerous and destructive Evils, we earnestly desire the Honourable Houses to provide effectual Remedy; and we pray God so to bless their Endeavours, that the Ruin of Religion in both Kingdoms, with the horrid Consequences thereof, which is the Work of Satan and his Instruments, contrary to the Work of God and his Servants, may, while there is yet Hope, be wisely and speedily prevented.

The

The other material Point which we desire An. 22. Car. J.
to offer, is concerning the late Ordinance of Par- 1646.
liament, March 14, 1645, with the Directions, }
August 19, 1645; which, in Discharge of their April.
Duty to God, in Pursuance of the Covenant, and
in Thankfulness to God for his Mercies, they
have, after long Consultation, resolved upon:
And wherein there be divers Evidences of the
Piety and Wisdom of the Honourable Houses;
for which not only the Church of England, but
the Church of Scotland, and all the Reformed
Churches, have Cause to bless the Lord; yet it
being acknowledged, that there may be Need of
Supplements and Additions, and haply also of
Alterations in some Things: And it being sup-
posed that the Advice of the Assembly of Divines,
wherein we have been assistant, is had thereunto;
and we being intrusted by the Church of Scotland,
in Matters that concern them so nearly upon
their common Interest, we have taken the Free-
dom to present our Thoughts concerning some
Particulars contained in the Ordinance.

First, Concerning the Subordination of the
Assemblies of the Church to the Parliament;
we make no Question but the Parliament is su-
perior to all the Assemblies of the Church in
Place, Dignity, Honour, and earthly Power;
that Civil Powers are the Vicegerents of God
on Earth; and that Ministers are only Servants
and Ambassadors; and that the Magistrate is
Custos utriusque Tabulae, and may, by his Au-
thority, compel the Ministers and Assemblies of
the Church to perform the Duties which Christ
requires of them; like as the Ministers are bound
to render a Reason and Account of their Proceed-
ings to the Civil Powers with all Humility and
Reverence. We do only desire, That without
Diminution of, or Derogation unto, the right
and just Power of the Parliament or Civil Ma-
gistrate, the Expression of Subordination may be
altered; because it may suppose (contrary to
the Meaning of the Parliament) that the Rela-
tion

An. 22. Car. 1.
1646.

April.

tion of one Church-Assembly to another, and of the Assemblies to the Parliament, and of Appeals of one to another, are of the same Kind and in the same Line, as if the Civil Power were not only about Matters of the Church and Religion, but were formally Ecclesiastical, and to be exercised Ecclesiastically; because some may interpret it to be such an Headship and Supremacy in the Church, as some Times was in the Pope, and hath been retained in Substance in this Kingdom, as the Fountain of the High Commission, and Foundation of other Corruptions, contrary to the Judgment of all such as have sought after further Reformation; and because it is against the Doctrine and Profession of the Reformed Churches, which, next unto the Word of God, which is the Rule, are proposed in the *Covenant* as the Example of Reformation.

Secondly, We desire the Provincial Commissioners for judging of Scandals may be taken in to further Consideration, there being no Warrant nor Pretence for such a Mixture in Church-Government from Jesus Christ, who hath appointed his own Spiritual Officers, to whom he hath committed the Keys of the Kingdom of Heaven; and to whom the Reformed Churches conceive the judging of Offences, and the Qualification of Communicants, doth as properly and incommunicably belong, as the publick Preaching of the Word and Administration of the Sacraments. Nor can it be supposed, that some few Civil Men, having no Calling from God, can be more able to judge of Matters of this Nature, than the Assemblies of the Church, separated for the Work of the Gospel, of which this is no small Part. The same Churches, and particularly the Church of Scotland, which all this Time have been in Expectation of great Purity and Perfection of Reformation in the Church of *England*, may have their own Jealousies and Fears; that, in the Nature of the Thing, this may be the laying of a new Foundation of an High Commission or
Epis-

‘ Episcopacy, upon which the Superstructure after- An. 22. Car. I.
ward, although contrary to the present public 1646.
‘ Intentions, may be easy; and for a new Partition-
‘ Wall to divide betwixt them and the Church of
‘ England, and to make a present Schism and Se-
‘ paration for renting the Bowels of this Church.

April.

‘ *Thirdly*, Concerning the Meeting of the Na-
‘ tional Assembly; we acknowledge that the Su-
‘ preme Magistrate, who is Guardian of both Ta-
‘ bles, and a Nurse-Father of the Church, may
‘ call a National Assembly when, in his Wisdom,
‘ he shall judge it necessary; and the Church is,
‘ with all Respect and Humility, to obey his Call
‘ for the Good of Religion, or the Peace of the
‘ Kingdoms, when by Religion disturbed; but it
‘ is withall to be acknowledged, that this Power
‘ of the Magistrate is accumulative or positive,
‘ but is not a privative or destructive Power: We
‘ therefore move, That the Liberty which the
‘ Church hath from Christ be not restrained in
‘ Cases of such extraordinary Necessity, as Reli-
‘ gion in all Places hath been, and may be, sub-
‘ ject unto, the Safety of the Church being here
‘ the supreme Law; and the Honourable Houses
‘ of Parliament, having their Liberties enlarged,
‘ will be willing to enlarge the Liberties of Christ
‘ and his Servants.

‘ And we desire, that as they have, in their Wis-
‘ dom, appointed certain Times for the Meeting
‘ of the inferior Assemblies of the Church, they
‘ may also be pleased to appoint fixed Times for
‘ the Meeting of the National Assembly; other-
‘ wise what shall become of the Male-Administra-
‘ tion of Provincial Synods, and of Appeals from
‘ them to the National Assembly? May not Pro-
‘ vincial Synods, within a short Time, run into con-
‘ trary Opinions and Practices, and presume upon
‘ a Provincial Independency to hold them without
‘ controule? The Christian Churches, in all Ages,
‘ have used this as an ordinary and necessary Mean
‘ for the uniform settling and preserving of Religion

and

An. 22. Car. 1.
1646.

April.

and Piety; for censuring and purging out of Heresies and Errors; and removing of Scandals, Schism, Tyranny, Prophaneness, and such Evils as, by divine Providence and Prediction, must be, and would bring certain Destruction and Desolation upon Churches, if, by this powerful Remedy, they were not cured or prevented.

There be divers other Particulars in the Directions and Ordinances of Parliament; as the giving of the Sacrament to some Persons against the Conscience of the Ministry and Eldership, concerning public Repentance, and such like; which, by Conference or otherwise, as shall seem good to the Wisdom of the Honourable Houses, we would willingly and humbly offer to be examined, and, with small Alteration, may give great Satisfaction; being confident, that our Liberty, in what we have expressed, will be taken in good Part, sith it is done by us in Pursuance of the Ends of the *Covenant*; wherein, as the Parliament and Church of *England* are bound to endeavour the Preservation of the Government and Discipline of the Church of *Scotland*, so are we bound to endeavour the Reformation of the Discipline and Government in the Church of *England* and *Ireland*, according to the Word of God, and the Example of the best Reformed Churches; and sith we have not for the present, and we hope shall never have for the future, whatsoever our Adversity or Prosperity may be, any other Intentions or Desires, than we had and proposed in the Beginning, when we so solemnly entered into *Covenant*.

April, 6, 1646.

THE Honourable Houses having, after nine Months Deliberation, framed, and, upon the last of *February*, delivered unto us, some of the *Propositions of Peace*, upon the 16th of *March* we returned our *Answer*; in the Close whereof we expressed our earnest Desires and Readiness

to

to give and receive all brotherly Satisfaction concerning any Differences, and to concur with the Houses in all such Things as, upon a friendly Debate, should be found conducive for procuring and settling a happy *Peace*. Upon Consideration whereof, the Houses appointed a Committee to meet with us upon the 27th of *March*; but when we expected that, upon Debate, their Lordships should have concurred with us in finding out Expedients for removing of all Differences, and reporting of the Result to both Houses, that we might come to a speedy Agreement, they declared unto us, That they had only Power to argue with us, and were so strictly bound up by the Votes of the Houses punctually to adhere to every Proposition, that they had no Power to consider of the Alteration of the least Circumstance, though only as preparatory and in order to the further Consideration of the Houses. When we have seriously thought upon this Way of Proceeding, (the Propositions being the Demands of both Kingdoms, to be sent in the Name of both, as the best Means for settling a well-grounded *Peace*; and, in regard of the joint Interest which both Nations have in the Matter and End of the Propositions, and according to the Treaty made between the Kingdoms both ought to have their Judgment and Advice in agreeing unto, and framing of, the Propositions) we cannot but insist upon our former Desire, That the Honourable Houses may be pleased to authorize their Committee to confer with us about the best Way and Means for removing of our Differences, to propose Expedients, and hear what shall be offered by us, and report the Results to the Houses, that so we may come to a speedy Agreement; which (if we shall meet with the like Inclinations as we shall bring with us, being resolved, as in other Things, so especially in the Matter of the *Militia* for the full Security of this Kingdom as of our own, to give all possible Satisfaction, so far as may consist with our Covenant and public

An. 22. Car. I.
1646.

April.

An. 22. Car. 1.
1646.

April.

lic *Declarations*) we hope may be, by God's Assistance, in a very short Time effectuated. Whereas, otherwise, if we shall spend Time in drawing up all our Differences, with the Reasons thereof, to present in Writing to the Houses, receive their *Answers*, and give in *Replies* in like Manner, it must needs prove the Loss of a great deal of precious Time; may, in this Conjunction of Affairs, be of very dangerous Consequence to both Kingdoms; and will retard the sending of the *Propositions*, the Dispatch whereof, for many Reasons, should not be longer delayed; especially since we have so often declared to the King, that they are speedily to be sent, and the Granting of them will be an effectual Means for giving Satisfaction to both Kingdoms.

This we have judged necessary for us to offer as the most expeditious Way for attaining those Ends, and that we might clear ourselves before God and the World, that we have neglected no Mean in our Power, which may procure a speedy *Peace*; desiring much rather to come to a speedy Agreement by a friendly Conference; than, with Loss of Time, to reckon up our Differences in Writing; although (if the Posture of Affairs would have admitted of Delay) we should have accounted it our Advantage first to have presented to the Houses, in Writing, the Reasons for the Difference of our Judgment in the Points controverted.

Concerning the *Proposition* for Religion; when we were ready to have debated with the Honourable Committee upon the Particulars communicated unto us, by Direction of the Houses, upon that *Proposition*, their Lordships did acquaint us, That they knew not whether it was the Intention of the Houses to send to the King the *Ordinances* past both Houses, or to send any other Particulars; and that the Houses themselves were to be consulted herein. And therefore that the *Proposition* concerning Religion (the settling whereof should be, and is, the Chiefest of the

De-

Desires of both Kingdoms, and for which principally they entered in *Solemn League and Covenant*) may, with as distinct Knowledge, and as full Assurance of the Particulars as is possible, be, in the Name of both Kingdoms, demanded of the King, and, with Knowledge, granted by his Majesty; and, according to the joint *Declaration* of both Kingdoms, Truth and Peace may be established upon a sure Foundation for the present and future Generations; our earnest Desire is, That a Committee may be appointed, with whom we may join for considering such Articles of Reformation and Uniformity of Church-Government, as are already agreed upon by both Houses; that, having joint Consent, they may be fit Matter for the *Proposition* of Religion to be sent to the King's Majesty, with such other Matters of Church-Government as, we conceive, may be concluded in a Day or two; they being long since offered to the Houses, and wherein there can be little Difficulty, and the one and the other may be formed up in a Method for a Model of Uniformity in Church-Government.

An. 22. Car. I.
1646.

April.

Without this Agreement in Particulars of Church-Government, as well as in the Directory of Worship and Confession of Faith, we are not answerable to our *Covenant*; our Engagements and all our Labours and Sufferings are in vain; the very long Consultations of the Divines of both Kingdoms are fruitless; the great Expectation not only of the Church of *England*, but of all the Reformed Churches, is frustrated; we shall not know what to answer to the Church and Kingdom of *Scotland*, which will not be satisfied, nor secured in their Religion, with Generals; nor can we find any Ground to satisfy our own Reason for sending a general *Proposition* of Religion to the King: And therefore we still desire the Honourable Houses, in their Wisdom, to expedite us of this Difficulty, That the *Propositions* may be, with all speed, brought to a comfortable and harmonious Conclusion.

The

An. 22. Car. 1. *The Parliament's ANSWER to the last of the foregoing PAPERS of the Scots Commissioners.*
1646.

April.

The Answer of
both Houses to
the last of them;

‘ **T**HE Lords and Commons, assembled in Parliament, having taken into Consideration your *Paper* of April 6, concerning the *Propositions* to be sent to the King, do return this *Answer*:
‘ That we having communicated unto you some of those *Propositions*, which we desired, for the present, should be sent to his Majesty for a safe and well-grounded *Peace*; and finding, upon Perusal of your *Paper*, of the 16th of *March*, your Lordships have not consented that those *Propositions* should be sent, that are desired by us, for the Good and Security of the Kingdoms of *England* and *Ireland*, with your Reasons for the same; after serious Consideration thereof, we thought fit to adhere to our first *Resolutions*, and again to desire your Concurrence for the sending them unto the King; and although we clearly satisfied our own Judgments therein, yet, out of our earnest Desires to carry on all Business in a brotherly Way, we did appoint our Committees to communicate those our *Resolutions*, to shew the Grounds thereof, and to remove any Doubts that might stick therein with your Lordships: All which being considered, and that we have never denied our Consent that such *Propositions* should be presented to the King, as your Lordships conceived to be for the Good and Safety of the Kingdom of *Scotland*, the Matter in your *Paper* of the 6th of *April* we did not expect; wherein you do desire, *That the Resolutions of both Houses (after so long and mature Deliberation) should be subjected to the Debates and Alterations of a Committee of both Houses, to be joined with you for that Purpose*; and that upon Grounds which we can by no Means admit of, in regard that, by the *Treaty*, both Kingdoms are not bound to a joint Advice and Judgment in framing the *Propositions*, as is
‘ af-

1 This *Answer* is entered in the *Journals* of both Houses, but we find none to the other two *Papers*.

‘ affirmed in your *Paper*; but that no Cessation, An. 22. Car. I.
 ‘ nor any Pacification or Agreement for *Peace* 1646.
 ‘ whatsoever, is to be made by either Kingdom, }
 ‘ or the Armies of either Kingdom, without the April
 ‘ mutual Advice and Consent of both Kingdoms;
 ‘ which is all, in this Particular, they are obliged
 ‘ to by the *Treaty*; and therefore, out of our earn-
 ‘ est Desires to make Use of the present Opportu-
 ‘ nity for settling the *Peace* of the Kingdoms, and
 ‘ that we may clear ourselves, before God and the
 ‘ World, that we have neglected no Means which
 ‘ may procure the same; especially since, as your
 ‘ Lordships well remember, we have so often declar-
 ‘ ed to the King that they are speedily to be sent,
 ‘ and the Granting of them will be an effectual
 ‘ Means to give Satisfaction to both Kingdoms,
 ‘ we do again desire your Consent that those *Pro-*
 ‘ *positions*, as we have sent them to your Lord-
 ‘ ships, may be sent to his Majesty; and we shall
 ‘ speedily communicate to your Lordships the two
 ‘ other *Propositions* concerning Delinquents and the
 ‘ City of *London*, that they may be sent with the
 ‘ others.’

*A DECLARATION of the COMMONS of England,
 assembled in Parliament, of their true Intentions
 concerning the antient and Fundamental Govern-
 ment of the Kingdom; the Government of the
 Church; the present Peace; securing the People
 against all arbitrary Government; and maintain-
 ing a right Understanding between the two King-
 doms of England and Scotland, according to the
 Covenant and Treaties.* ^m

‘ **W** E the Commons, in Parliament assembled, And a Declara-
 ‘ well remembling that, in the Begin- tion of the Com-
 ‘ ning of this War, divers Protestations, Declara- mons upon that
 ‘ tions, Occasion.

^m Four thousand of these *Declarations* were ordered by the Commons to be printed for the Use of the Parliament, and that the Knights and Burgesses of the several Counties do take Care they be forthwith sent down and published in the respective Counties and Places for which they serve; that fewer than one hundred be not sent to one County, and as many more as shall be necessary; and that they be set up and fix’d in every Parish-Church by the Church-Wardens,

An. 22. Car. 1.
1646.

April.

tions, and Suggestions were spread abroad by the King, and those that did adhere unto him; whereby our sincere Intentions for the Public Good were misrepresented, and the Minds of many possessed with a Belief that our Resolutions and Proceedings were grounded upon needless Fears and Jealousies; and that there was no necessary and just Cause of the present War; the Untruth and Deceitfulness whereof, by the good Hand of God, miraculously discovering the Secrets of our Enemies, disposing and blessing our Affairs, Time and Experience have since fully manifested, to the undeceiving of those that were seduced thereby; which Mistakes of the People, by this Artifice and Cunning of the Enemy, for some Time much blemished the Justice of this Cause, and not only prolonged the War, but hazarded the Success thereof; and if the Enemy, by these Means, had prevailed, how dangerous the Consequences would have been is most apparent:

And now observing, that (when it hath pleased God so to bless our Endeavours, and the Actions of our Forces and Armies, as that the Enemy is in Despair to accomplish his Designs by War, and we are brought into good Hopes of attaining and enjoying that which, with so much Expence of Blood and Treasure, we have contended for) there are still the same Spirits stirring, and Humours working, as in the Beginning, though under other Disguises, and upon other Grounds; putting false Constructions as well upon what hath already passed the Houses, as upon the Things under present Debate; and misrepresenting our Intentions in the Use we desire to make of this great Success which God hath given us, and the happy Opportunity to settle Truth and Peace in the three Kingdoms; not ceasing, as well in Print as otherwise, to beget a Belief that we now desire to exceed or swerve from our first Aims and Principles in the Undertaking this War, and to recede from the *Solemn League and Covenant*, and

Trea-

‘ *Treaties* between the two Kingdoms; and that we would prolong the uncomfortable Troubles and bleeding Distractions, in order to alter the Fundamental Constitution and Frame of this Kingdom; to leave all Government in the Church loose and unsettled, and ourselves to exercise the same arbitrary Power over the Persons and Estates of the Subjects, which this present Parliament hath thought fit to abolish, by taking away the *Star-Chamber*, *High Commission*, and other arbitrary Courts, and the exorbitant Power of the *Council-Table*:

An. 22. Car. 1.
1646.
April.

‘ All which being seriously considered by us, although our Actions and Proceedings from Time to Time, since the Beginning of this Parliament, and particularly in the managing this great Cause, are the best Demonstrations of our Sincerity and Faithfulness to the Public; yet foreseeing that, if Credit be given to such dangerous Insinuations and false Surmises, the same will not only continue the present Calamities, and involve us into new and unexpected Imbroilments, but likewise inevitably endanger the happy Issue and Success of our Endeavours, which, by God’s Blessing, we may otherwise hope for:

‘ We do declare, That our true and real Intentions are, and our Endeavours shall be, to settle Religion in the Purity thereof, according to the *Covenant*; to maintain the antient and Fundamental Government of this Kingdom; to preserve the Rights and Liberties of the Subject; to lay hold on the first Opportunity of procuring a safe and well-grounded *Peace* in the three Kingdoms, and to keep a good Understanding between the two Kingdoms of *England* and *Scotland*, according to the Grounds expressed in the *Solemn League and Covenant*, and *Treaties*; which we desire may be inviolably observed on both Parts.

‘ And, lest these Generals should not give a sufficient Satisfaction, we have thought fit, to the end Men may be no longer abused into a Misbelief of our Intentions, or a Misunderstanding
‘ of

An. 22. Car. 1.

1646.

April.

of our Actions, to make this further Enlargement upon the Particulars. :

And, first, concerning Church-Government : We having so fully declared for a Presbyterial Government, having spent so much Time, taken so much Pains for the Settlement of it, passed most of the Particulars brought to us from the Assembly of Divines, (called only to advise of such Things as shall be required of them by both or either of the Houses of Parliament) without any material Alteration, saving in the Point of Commissioners ; and having published several *Ordinances* for putting the same in Execution, because we cannot consent to the granting of an arbitrary and unlimited Power and Jurisdiction to near ten thousand Judicatories to be erected within this Kingdom ; and this demanded in such a Way as is not consistent with the Fundamental Laws and Government of the same ; and, by necessary Consequence, excluding the Power of the Parliament of *England* in the Exercise of that Jurisdiction, and whereof we have received no Satisfaction in Point of Conscience or Prudence ; nor have we yet resolved how a due Regard may be had, that tender Consciences, which differ not in Fundamentals of Religion, may be so provided for, as may stand with the Word of God, and the Peace of the Kingdom.

It must therefore seem very strange to us, if any sober and modest Man should entertain a Thought that we should settle no Government in the Church, when our Unwillingness to subject ourselves and the People of this Land to this vast Power, hath been a great Cause that the Government hath not been long since established : And we desire it may be observed, That we have had the more Reason, by no Means to part with this Power out of the Hands of the Civil Magistrate, since the Experience of all Ages will manifest, That the Reformation and Purity of Religion, and the Preservation and Protection

of

of the People of God in this Kingdom, hath, under God, been by the Parliament, and their Exercise of this Power: And our full Resolutions still are, sincerely, really, and constantly, through the Grace of God, to endeavour the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worship, Discipline, and Government, according to the Word of God, and the Example of the best Reformed Churches, and according to our *Covenant*. Whence it may appear to all Men, That those Rumours and Aspersions, whereby the Minds of Men are so disturbed for Want of the present settling of Church-Government, are to be applied to those who (having a sufficient Power and Direction from the Houses on that Behalf) have not as yet put the same in Execution.

And whereas a safe and good *Peace* is the right End of a just *War*; there is nothing we have more earnestly desired, nor more constantly laboured after; and to that Purpose, both Houses of Parliament have framed several *Propositions* to be sent to the King, such as they hold necessary for the present and future Safety and Good of this Kingdom; some of which are transmitted from both Houses to our Brethren of *Scotland*, where they now remain; whose Consent, that they may speedily be sent to the King, we shall not doubt to obtain, since the Parliament of *England* is and ought to be sole and proper Judge of what may be for the Good of this Kingdom; the same Liberty having been always by us admitted to the Kingdom of *Scotland* in all Things that concern that Kingdom; wherein we are so far from altering the Fundamental Constitution and Government of this Kingdom, by King, Lords, and Commons, that we have only desir'd, That, with the Consent of the King, such Powers may be settled in the two Houses, without which we can have no Assurance but that the like, or greater, Mischiefs than these which God hath hitherto delivered us from, may break out again,

and

An. 22. Car. I.

1646.

April.

An. 22. Car. 1.
1646.

April.

and engage us in a second and more destructive War.

Whereby it plainly appears our Intentions are not to change the antient Frame of Government within this Kingdom, but to obtain the End of the Primitive Institution of all Government, the Safety and Weal of the People; not judging it wise or safe, after so bitter Experience of the bloody Consequences of a pretended Power of the *Militia* in the King, to leave any colourable Authority in the same for the future Attempts of introducing an arbitrary Government over this Nation, and protecting Delinquents, Enemies of our Religion and Liberties, by Force, from the Justice of the Parliament; the first and chiefest Grounds of the Parliament's taking up Arms in this Cause.

And although the Necessity of War hath given some Disturbance to legal Proceedings; stopped the usual Course of Justice; enforced the Parliament, for the Preservation of this State, to impose and require many great and unusual Payments from the good Subjects of this Kingdom; and to take extraordinary Ways for procuring of Monies for their many pressing Occasions: It having pleased God to reduce our Affairs into a more hopeful Condition than heretofore, we do declare, That we will not, nor any one, by Colour of Authority derived from us, shall, interrupt the ordinary Course of Justice in the several Courts and Judicatories of this Kingdom, nor intermeddle in Cases of private Interest otherwise determinable; unless it be of Male-Administration of Justice, wherein we shall see and provide, that Right be done, and Punishment inflicted as there shall be Occasion, according to the Laws of the Kingdom, and the Trust reposed in us.

And as both Houses have already, for the Ease and Benefit of the People, taken away the Court of *Wards and Liveries*, with all *Tenures in Capite*, and by *Knight's Service*, so we will take especial Care

‘ Care, that as speedy and as great Ease may be
 ‘ had in future Levies of Money, by reducing of
 ‘ Garrisons, and otherwise, as the pressing Occa-
 ‘ sions of the Kingdom can possibly admit; and will
 ‘ provide, by bringing Delinquents to due Punish-
 ‘ ment, who have unnaturally fomented and main-
 ‘ tained this present War against the Parliament
 ‘ and Kingdom; that there may be a fair Possi-
 ‘ bility of satisfying the Disbursements, clearing the
 ‘ Engagements, and repairing the Losses of those
 ‘ who have faithfully and chearfully laid out them-
 ‘ selves, and suffered for the Public Service; un-
 ‘ less, by too great Credulity given to false Sug-
 ‘ gestions, we be disabled from effecting what
 ‘ we desire.

An. 22. Car. I.
 1646.

April.

‘ Lastly, Whereas both Nations have entered
 ‘ into a *Solemn League and Covenant*, and *Treaties*
 ‘ have been made and concluded between the two
 ‘ Kingdoms of *England* and *Scotland*, we have
 ‘ had an especial Regard of the *Treaties*; and
 ‘ have not, to our best Judgments, failed of the
 ‘ Performance of any Thing which was on our Part
 ‘ to be performed. And for the *Covenant*, we
 ‘ have been, and ever shall be, very careful duly
 ‘ to observe the same; that as nothing hath been
 ‘ done, so nothing shall be done, by us, repug-
 ‘ nant to the true Meaning and Intention thereof;
 ‘ and do presume that no Interpretation of it (so
 ‘ far as it concerns the Kingdom of *England*)
 ‘ shall, by any, be endeavoured to be imposed on
 ‘ us than we ourselves do know to be suitable
 ‘ to the first just Ends for which it was agreed;
 ‘ and we do expect, That the People of *England*
 ‘ should not receive Impressions of any forced Con-
 ‘ structions of that *Covenant*; which, in case of any
 ‘ Doubt arising, is only to be expounded by them
 ‘ by whose Authority it was establish’d in this King-
 ‘ dom, who will not depart from those Grounds and
 ‘ Principles upon which it was fram’d and founded.

The foregoing *Declaration* was not passed with-
 out great Opposition, every Clause being resolved

An. 22. Car. I.

1646.

April.

by Question. On one Division the Numbers for it were 67 against 41; on another, 71 against 43. And the Commons were in so great Haste to communicate it to the Nation, that it was printed and published the very next Day after it had passed their House, without so much as asking the Concurrence of the Lords.

About this Time also the following *Letters* were printed by Order of Parliament. Mention is made in the *Journals* of their being read, but they are not entered there, nor in *Rushworth's* or *Husbands's Collections*; and we give them from the Original Edition^a. And first

A *Letter* to Major-General *Browne*, from Colonel *Payne*, concerning a Defeat of the King's Horse at *Faringdon*, read in the House of Commons the 14th of *April*.

Honourable Sir,

Several Letters
printed by Order
of the Parlia-
ment, relating to
the Success of
their Army.

THE last Night I had Intelligence the Enemy were drawn out of *Oxford*, and gave out they intended to plunder *Newnham*; wherefore I sent to Colonel *Betsworth*, to desire him to draw his Horse towards *Abingdon*, which he did; but early this Morning we had Intelligence that 600 Horse marched out of *Oxon*, thro' *Compton* and *Fisfield*; whereupon I commanded forth our Horse and Dragoons, and marched with Colonel *Betsworth* after the Enemy; and it pleased God to direct us that we found them at *Faringdon*, and quartered at the Towns thereabouts. We had gallant hunting them from Place to Place over the Hills, and pursued them into *Faringdon Town*; and afterwards we discovered a good Party of about 200 between the two *Coxwells*, who ran down into a Meadow, and would have parlied to surrender their Horse and Arms, but our Men fell on them and took them all, save very few that escaped. Afterwards we gleaned up

^a Printed for *M. Spark*, *J. Rosbwell*, and *T. Underhill*, 1646.

‘ up divers more in several Places, so that I am
 ‘ confident that Party is so broken that the King
 ‘ will scarce be able to get such a Body of Horse
 ‘ again in the Kingdom. We took above 300
 ‘ Horse, and almost as many Prisoners: There
 ‘ were brought, this Evening, about 250 into
 ‘ *Abingdon*; the Major, and most of the Officers of
 ‘ Sir *William Compton*’s Regiment, belonging to
 ‘ *Banbury*, are Prisoners: It was esteemed the best
 ‘ Regiment the King had; and the News of their
 ‘ Engagement being reported at *Oxford* this Day,
 ‘ that they would either come off with Honour or
 ‘ be lost, they sadly replied, If that Regiment were
 ‘ lost, they were all undone.

An. 22. Car. I.

1646.

April.

‘ There was but one Man slain on our Part, and
 ‘ not many on the Enemy’s.

S I R,

Your most humble

Abingdon, April 3,
 1646.

and faithful Servant,

GEO. PAYNE.

A Letter from Col. *Mitton*, concerning the Sur-
 render of *Ruthin* Castle to him, for the Use of the
 King and Parliament, read the 13th of *April*.

To the Honourable WILLIAM LENTHALL, Esq;
 Speaker of the Honourable House of Commons.

S I R,

‘ THE reducing of this Castle of *Ruthin*
 ‘ hath cost me more Time and Ammuni-
 ‘ tion than I expected when first I laid Siege to it:
 ‘ At last, having a Mine almost in Readiness to
 ‘ spring, and Batteries prepared for a Demi-Cannon
 ‘ and a Culverin to play upon it, it was this Day
 ‘ agreed to be surrendered upon certain Condi-
 ‘ tions; which I was the more willing to accept,
 ‘ having perfect Information by some that esca-
 ‘ ped out of the Castle, that there were Provi-

Z 2

‘ sions

An. 22. Car. 1.
1646.

April.

‘ sions in it for two Months longer, which now I
‘ find to be true: And if I should have forced it I
‘ must have hazarded many Men, and made the
‘ Place unserviceable, which is of great Use to the
‘ Reducement of this Country, it being the most
‘ convenient Place for a Garrison in all *North-*
‘ *Wales*, as Things now stand with us.

‘ Yesterday, before the Break of Day, a Party of
‘ the Enemy, out of *Denbigh* Castle, being about six
‘ Score, and thirty mounted Firelocks, fell upon
‘ Captain *Richard Price*’s Quarters, within two
‘ Miles of this Town; but he was vigilant, and
‘ his Scouts performed their Duty so well, that they
‘ were drawn into the Field before they came upon
‘ them, which gave him Opportunity to avoid
‘ them, and convey the Alarm to this Town; and
‘ thereupon Colonel *Carter*, with a standing Horse-
‘ Guard, which we are fain to keep in the Field
‘ constantly to secure our Out-quarters, and Cap-
‘ tain *Simkies*, with my own Troop, which was
‘ then upon the Guard in this Town, drew out and
‘ fell between them and *Denbigh*; and within half
‘ a Mile of their Garrison met with them, and
‘ charged them so gallantly, that they broke in
‘ upon them, killed seven of them, as is said, up-
‘ on the Place; and, in the Pursuit, took four
‘ Captains, one Lieutenant, two Cornets, divers
‘ Troopers, and about forty Horse, with the Loss
‘ of but one Man on our Side.

‘ The Siege at *Holt* hath of late been of great
‘ Difficulty and Hazard to those few Men I have
‘ there: For the drawing off the *Cheshire* Fire-
‘ locks from that Service, without my Privity,
‘ gave the Enemy an Advantage to burn the Guard
‘ the Firelocks kept, (which cost the Country much
‘ to fortify) and above forty dwelling Houses
‘ in the Town; and exposed my Men (who lay in
‘ open Quarters, and were fewer in Number than
‘ the Enemy within were) to their Power, which
‘ necessitated my Men to be upon continual Duty.

‘ Upon the first of *April* the Enemy sallied out
‘ and fell upon Major *Sadler*’s Quarters, resolving
‘ to.

to put all my Men in that House to the Sword, An. 22. Car. L
 which they had been like to effect, had not a
 Guard which was placed in the Mount, erected
 by us three Days before, relieved them. In this
 Storm I lost six Men, and fourteen wounded; of
 the Enemy there were killed their Commander,
 (Captain *Cottingham*, a Papist) a Lieutenant, and
 two more, and many wounded: There hath been
 never a Day since but they sallied out constantly
 twice or thrice a-day, and were as constantly
 beaten in.

1646.

April.

This Service, and the furnishing of such Gar-
 risons which are reduced, occasions the Expence of
 very much Powder and Match; and therefore I
 humbly desire that the Honourable House will be
 pleased to grant that I may have 100 Barrels of
 Powder, and 4 or 500 Firelocks sent me, and that
 some Course may be prescribed to convey it down
 speedily; the Carriage and Convoy of the last
 Powder I had, cost above half as much as the
 Powder was worth: And further, that they will be
 pleased to appoint a Governor for this Castle.
 Lieutenant-Colonel *Thomas Mason* is a very
 faithful, active, and godly Gentleman; and the
 most knowing Man in his Profession that we have
 in these Parts, having been a Soldier above twenty
 Years, and lost his Command in *Ireland*, because
 he refused to bear Arms against the Parliament;
 and, if this Place were worthy of him, I should
 make bold to recommend him to their Consi-
 deration. This, nevertheless, I leave to their
 Wisdoms to determine, and rest

Your very humble Servant,

Rutbin, April 8,
 1646.

THO. MITTON.

The Commons agreed to this last Request of
 Colonel *Mitton*; ordered him the Thanks of their
 House, and a Reward of 50*l.* to his Chaplain,
 Mr. *Fogge*, for bringing the News.

An. 22. Car. I.
1646.Two other *Letters* to the Speaker from Mr.
Rushworth.

April.

S I R,

‘ HAVING been employed in the agitating
 ‘ of the Treaty for the surrendering of *Ex-*
 ‘ *eter*, I might crave Pardon if I give you not so
 ‘ full an Account of our Proceedings here as I de-
 ‘ sire. We had to do with Lawyers and Civilians,
 ‘ who lengthened out our Debate by their Nice-
 ‘ ties, so that the Treaty ended not till the Day
 ‘ of the writing hereof, when they finished the Ar-
 ‘ ticles, and agreed to march forth on *Monday*
 ‘ next. The Conditions were honourable, viz.
 ‘ in brief, To march out with their Arms, Colours
 ‘ flying, Drums beating, and Bullets, to *Oxford*,
 ‘ and the *Cornish* into *Cornwall*.

‘ I will not trouble you with Particulars, but
 ‘ send you the Articles by the next. Hostages
 ‘ were delivered for the Performance of the Things
 ‘ promised; and, for farther Assurance unto us,
 ‘ three strong Forts were delivered up unto us in
 ‘ Hand, as hath been touch’d before. The Towns-
 ‘ men were very glad of the Agreement.

‘ The General is this Night come to *Tiverton*,
 ‘ and intends To-morrow to be before *Barnstable*,
 ‘ and to summon it.

‘ The Treaty was absolutely concluded Yesterday in *Exeter*: We sat up Night and Day about it.

‘ I will not trouble you any more till a further
 ‘ Opportunity; but remain,

S I R,

Columb-John, April 9,
late at Night.

Your most humble Servant,

J. RUSHWORTH.

P. S. ‘ At *Market-Jew*, near the *Mount*, we
 ‘ took-lately of the *Mount-men* 60 Prisoners, the
 ‘ most of that Garrison; also a Captain in *Pen-*
 ‘ *dennis* came off unto us with 80 Men more. We
 ‘ understand that in *Pendennis* they have nothing
 ‘ but

‘ but tainted salt Beef, and that they cannot long
 ‘ subsist; they have but little Bread, and their
 ‘ Wine almost spent. We hope well shortly of
 ‘ both Places.

An. 22. Car. I.
 1646.
 April.

The other *Letter* was thus :

S I R,

‘ **T**HOUGH I have but little News, yet I
 ‘ could not omit this Opportunity of send-
 ‘ ing to you : We entered the City of *Exeter* on
 ‘ *Monday* last, according to the Articles¹. Sir *John*
 ‘ *Berkeley* the Governor, with about 2000, are
 ‘ marched forth; 700 whereof being *Cornish*, as
 ‘ soon as they were out of the City Gates, faced
 ‘ *Westward*; and, resolving for their own Homes,
 ‘ cried out thus, *Every Man to his own Home*,
 ‘ *Every Man to his own Home*; and so laying down
 ‘ their Arms departed accordingly. The like Re-
 ‘ solution had most of the rest, so that Sir *John*
 ‘ was like to have but a small Remnant to do his
 ‘ Majesty any Service at *Oxford*. The Princess
 ‘ *Henrietta*, and her Governess^k, went forth with
 ‘ them, leaving behind them in the City at least
 ‘ three Months Provisions, 150 Barrels of Pow-
 ‘ der, about 1500 Muskets, and above 40 Pieces
 ‘ of Ordnance.’

Your most humble Servant,

J. RUSHWORTH.

April 21. In the *Commons Journals* of this Day
 we meet with an Affair, which must have given
 great Disgust to the *Presbyterian* Party.—But
 before we enter into farther Particulars, it is ne-
 cessary to observe, That, on the 23d of *March* last, A Petition to the
 the Assembly of Divines, then sitting at *Westmin-* Commons from
ster, had presented a *Petition* to the Commons, in the Assembly of
 relation to some Clauses of an *Ordinance* lately Divines, declared
 passed, which they apprehended to be an Encroach- a Breach of Pri-
 vilege.
 ment of the Laity upon their Spiritual Jurisdiction.

But

¹ Sir *Thomas Fairfax*’s Summons, the Governor’s Answer, and
 the Articles at large, are in *Rushworth*, Vol. VI. p. 261, et seq.

^k The Countess of *Dalkeith*.

An. 22. Car. 1.
1646.

April.

But General *Ludlow*^a, speaking of this Kind of *Petitions*, calls it ‘An Attempt to sacrifice all our Civil Liberties to the Ambition of the Presbyterian Clergy; and to vest them with a Power as great or greater than that which had been declared intolerable in the Bishops before.’ However, on the 11th of *April*, this Affair was taken into farther Consideration by the Commons; when the Majority of that House were so far from being of the same Opinion with the Petitioners, that they voted the *Petition* to be a Breach of the Privilege of Parliament: But upon this there were two Divisions of the House. On the previous Question, 106 against 85; and, on the main Question, 88 against 76. The Tellers for the Majority, Sir *John Evelyn* of *Wilts*, and Sir *Arthur Heselrig*; for the Minority, Mr. *Holles* and Sir *Philip Stapylton*: A Circumstance which confirms our former Observation, of the great Increase of Strength the *Independent* Party had, lately, acquired by the new Elections.—The *Petition* beforementioned is not entered in the *Journals*, nor in any of the *Collections* of these Times. Mr. *Rushworth*, indeed, has given us the *Questions* afterwards proposed to the Assembly of Divines; but takes no Notice of the *Petition* itself, of the *Resolutions* of the Commons in Consequence thereof, nor of the following *Paper* entered in their *Journals*, which was voted, Clause by Clause, in *hæc Verba*:

A NARRATIVE of the Matter of Fact concerning the Breach of the Privilege of Parliament by the PETITION of the Assembly of Divines.

‘THE Parliament, by the Fundamental Laws and Constitutions of this Kingdom, hath this great Privilege, to be the Supreme Judicatory; and

^a *Memoirs*, Vol. I. p. 188.

We have seen a *Print*, published at this Time, representing a Pope, a Prelate, and a Presbyterian, seated together upon a Bench, with this Motto over them, *Tria juncta in uno*. This was complained of to Parliament, and Enquiry ordered to be made after the Publisher: But the Result thereof does not appear upon the *Journals*.

and hath Jurisdiction in all Causes, Spiritual and Temporal, and to delegate so much of this Power as they think fit: And, when they have declared their Judgments, and given their Directions in a Law, the same is binding to all Persons of this Kingdom, of what Quality soever.

An. 22. Car. I.
1646.

April.

The Assembly of Divines, called by *Ordinance* of Parliament, are authorized and enjoined by the said *Ordinance*, from Time to Time, during this present Parliament, or untill further Order be taken by both the said Houses, to treat of such Matters therein mentioned, as shall be proposed unto them, from Time to Time, by both or either of the Houses of Parliament, and no other; and to deliver their Opinions and Advices, of or touching the Matters aforesaid, as shall be most agreeable to the Word of God, to both or either of the said Houses of Parliament, from Time to Time, in such Manner and Sort as by both or either of the said Houses shall be required; with a Prohibition, that they do not assume to exercise any Jurisdiction, Power, or Authority, Ecclesiastical whatsoever, or any other Power, than what in the said *Ordinance* is particularly expressed.

The Assembly are further authorized, by *Ordinance* of Parliament, the 12th of *October*, 1643, to treat among themselves of such a Discipline and Government as may be most agreeable to God's holy Word, and most apt to procure and preserve the Peace of the Church at home, and nearer Agreement with the Church of *Scotland*, and other Reformed Churches abroad; and to deliver their Opinions and Advice therein, with all convenient Speed, to the Houses: Whereupon they gave their Advice, before the Houses declar'd their Judgment, in the *Ordinance* for Commissioners.

The Parliament having received the Advice of the Assembly concerning Presbyterian Government; and particularly, That Jesus Christ hath placed in the Ministers and Elders of his Churches

the

An. 22. Car. I.
1646.

April.

the Power of keeping away scandalous and unworthy Persons from the Lord's Table;

Both Houses, after mature Deliberation had thereupon, did, notwithstanding, *ordain*, by a Law, That, in Cases not enumerated, the Commissioners, by them to be appointed according to the said Law, should exercise so much of the said Power as in that Law is provided.

The Assembly are not authorized, as an Assembly, by any *Ordinance* or *Order* of Parliament, to interpret the *Covenant*, especially in relation to any Law made or to be made; nor, since the Law passed both Houses concerning the Commissioners, have been required by both or either of the Houses of Parliament, or had any Authority before by Parliament, to deliver their Opinions to the Houses, in Matters already judged and determined by them: Neither have they Power, either to debate or vote, whether what is passed as a Law by both Houses, be agreeing or disagreeing to the Word of God, until they be thereunto required.

Matter of Fact arising from the *Petition* itself.

The Assembly of Divines, under the Name of a *Petition*, dated *March 23, 1645*, attested by the Prolocutor and the two Scribes;

First, 'Do oppose their Judgment, as an Assembly, in relation to a Law passed both Houses, unto the Judgment of Parliament, being not thereunto authorized nor required; affirming, That the Provision of Commissioners to judge of Scandals, not enumerated, appears to their Consciences to be so contrary to that Way of Government which Christ hath appointed in his Church, (in that it giveth a Power to judge of Persons to come to the Sacrament, unto such as Christ hath not given that Power,) and to be, in many Respects in the said *Petition* mentioned, so disagreeable to the *Covenant*, that they dare not practise according to that Provision.

Secondly,

Secondly, 'The Assembly, in their *Petition*, do declare, That the Power of judging in Cases not enumerated, (placed, in Part, by the said Laws, in Commissioners) and to keep back from the Sacrament all such as are notoriously scandalous, doth belong to the several Elderships by divine Right, and by the Will and Appointment of Christ; excluding thereby the said Commissioners, and in them the Parliament, from the Power and Right to judge in Cases of Scandal not enumerated.'

An. 22. Car. I.
1646.

April.

A Committee was appointed to communicate, in a fair Manner, unto the Assembly of Divines, the *Vote* of the House upon this Breach of Privilege in their *Petition*; and to enlarge themselves upon the several Heads of the foregoing *Narrative*.

The next Day the Commons took into Consideration divers Questions to be propounded to the Assembly of Divines, concerning the *Jus divinum* of Church-Government; which were read one by one, and, upon the Question, severally resolved; and were in *hæc Verba*:

'Whereas it is resolved by the House of Commons, that all Persons guilty of notorious and scandalous Offences, shall be suspended from the Sacrament of the Lord's Supper: The House of Commons desire to be satisfied, by the Assembly of Divines, in these Questions following:

Questions order'd
to be proposed to
that Assembly.

1. 'Whether the Parochial and Congregational Elderships, appointed by *Ordinance* of Parliament, or any other Congregational or Presbyterial Elderships, are *Jure divino*, and by the Will and Appointment of Jesus Christ; and whether any particular Church-Government be *Jure divino*; and what that Government is?

2. 'Whether all the Members of the said Elderships, as Members thereof, or which of them, are *Jure divino*, and by the Will and Appointment of Jesus Christ?

3. 'Whe-

An. 22. Car. I.
1646.

April.

3. 'Whether the superior Assemblies or Elderships, viz. the Classica, Provincial, and National, whether all, or any of them, and which of them, are *Jure divino*, and by the Will and Appointment of Jesus Christ?

4. 'Whether Appeals from Congregational Elderships to the Classica, Provincial, and National Assemblies, or to any of them, and to which of them, are *Jure divino*, and by the Will and Appointment of Jesus Christ; and are their Powers, upon such Appeals, *Jure divino*, and by the Will and Appointment of Jesus Christ?

5. 'Whether Oecumenical Assemblies are *Jure divino*; and whether there be Appeals from any of the former Assemblies to the said Oecumenical *Jure divino*, and by the Will and Appointment of Jesus Christ?

6. 'Whether, by the Word of God, the Power of judging and declaring what are such notorious and scandalous Offences, for which Persons guilty thereof are to be kept from the Sacrament of the Lord's Supper; and of conventing before them, trying, and actual suspending from the Sacrament of the Lord's Supper, such Offenders accordingly, is either in the Congregational Eldership or Presbytery, or in any other Eldership, Congregation, or Persons; and whether such Powers are in them only, or in any of them, and in which of them, *Jure divino*, and by the Will and Appointment of Jesus Christ?

7. 'Whether there be any certain and particular Rules expressed in the Word of God to direct the Elderships or Presbyteries, Congregations or Persons, or any of them, in the Exercise and Execution of the Powers aforesaid; and what are those Rules?

8. 'Is there any Thing contained in the Word of God, that the Supreme Magistracy, in a Christian State, may not judge and determine what are the aforesaid notorious and scandalous Offences, and the Manner of Suspension for the same; and in what Particulars, concerning the Premises, is the said

said Supreme Magistracy by the Word of God excluded? An. 22. Car. I. 1646.

9. 'Whether the Provision of Commissioners to judge of Scandals not enumerated, as they are authorized by the *Ordinance* of Parliament, be contrary to that Way of Government which Christ hath appointed in his Church; and wherein are they so contrary?' April.

In answer to these Particulars the Commons desired the Assembly of Divines to give their Proofs from Scripture; and to set down the several Texts thereof in the express Words of the same. And

Ordered, That every Minister, present at the Debate of any of these Questions, do, upon every Resolution which shall be presented to the House concerning the same, subscribe his Name, either with the Affirmative or Negative, as he gives his Vote; and that those that dissent from the major Part, shall set down their positive Opinions, with the express Texts of Scripture upon which they are grounded. Also that the Committee, that is appointed to acquaint the Assembly of Divines with the Breach of Privilege in their last *Petition*, do deliver unto them the foregoing Questions.

April 23. This Day Lieutenant-General *Cromwell* making his Appearance in the House after several Months Absence, the Commons ordered the Speaker to return him their hearty Thanks for his great and faithful Services, done to this Kingdom and to this Parliament.

April 25. The Commons came to the following *Resolutions*, viz.

1. 'That Notice be given to Sir *Thomas Fairfax*, That if the King shall, under his Hand, directed to both Houses of Parliament, send unto him, or any other Commander in the Service of the Parliament, any *Letter* or *Message* concerning *Peace*, the same shall be immediately conveyed unto the Houses, to be considered of by both Houses, and

Resolution of the Commons as to Proposals for Peace, from the King to their Army.

366 *The Parliamentary History*

An. 22. Car. I. and by the Commissioners of the Parliament of
1646. *Scotland.*

April.

2. 'That no Commander in Chief, Officer, or Soldier whatsoever, in the Service of the Parliament, shall, otherwise than as aforesaid, entertain or receive any Message or Overture of *Peace* from the King, or any other Person adhering to him, or in Arms against the Parliament.

3. 'And in case any such Person shall presume to make any Overture of *Peace*, otherwise than as aforesaid, he shall be apprehended and proceeded against as a Spy, according to the Rules of War.'

The Committee of the Army was ordered to send these *Votes* to the General and other Officers and Commanders in the Service of the Parliament; the Care of which was particularly recommended to Lieutenant-General *Cromwell*.

Four more Papers from the Scots Commissioners presented to that House.

April 27. The Commons took into Consideration four *Papers* from the Commissioners of the Parliament of *Scotland*, which were read. These being very long and tedious, we shall give Mr. *Rushworth's* Abstract of them; observing that, in his *Collections*, they are placed instead of those annexed to that *Preface*, which had given such Offence to both Houses as to be ordered to be burnt by the common Hangman, some Days before ^b.

The First *Paper* contained their Answer to the whole *Propositions of Peace*.

The Second contain'd the Reasons of their Differences about the *Proposition* concerning the *Militia*.

The Third contained Citations of Passages out of several *Declarations* of the Houses, concerning the *Militia* and *Uniformity in Religion*.

The Fourth contained Reasons why the *Treaty* made at *Edinburgh*, Nov. 28, 1643, is a *Treaty*.

In the first *Paper* they remonstrate thus, 'As the Matter of Religion, by reason of the Necessity
' and

^b The second *Paper* in the *Collections*, is styled the Third in the *Journals*; the Third, the Fourth; and the Fourth, the Second.

‘ and incomparable Excellency thereof, deserveth
 ‘ the first Place, and before all other Matters to
 ‘ be considered ; so it hath been always, in all our
 ‘ Undertakings, the prime and chiefeſt of our In-
 ‘ tentions and Deſires, and, in all our Actions and
 ‘ Sufferings, our greateſt Comfort and Encourage-
 ‘ ment ; and which being eſtabliſhed according to
 ‘ the *Covenant*, we are very confident to give and
 ‘ receive Satisfaction in all other Matters ; and
 ‘ without which the Church and Kingdom of
 ‘ *Scotland* having been, from the Corruption of
 ‘ this Fountain, overwhelm’d with a Deluge of
 ‘ Miſeries, although they had all Things beſide,
 ‘ cannot be ſatisfied, nor think themſelves ſecured.
 ‘ And we confeſs that it is to us, and to that Church
 ‘ and Kingdom, no ſmall Matter of Sorrow, that
 ‘ after ſo ſolemn a *Covenant*, and ſo many *Proteſt-*
 ‘ *ations* and *Declarations*, the Reformation of Re-
 ‘ ligion ſhould ſo long ſtick, and be ſo much ob-
 ‘ ſtructed in this Kingdom ; which we hoped in
 ‘ the Beginning, when both Kingdoms enter’d into
 ‘ *Covenant*, ſhould long before this Time not only
 ‘ have been eſtabliſhed here, but propagated to
 ‘ other Nations groaning under, or in Danger of,
 ‘ the Yoke of Antichriſtian Tyranny ; and which,
 ‘ upon the appearing of the Light, and the new
 ‘ Dawnings of the Day in this Iſland, were begin-
 ‘ ning to lift up their Heads in Expectation of their
 ‘ Deliverance and Comforts : We do therefore de-
 ‘ ſire, particularly and explicity, to know the Ar-
 ‘ ticles of Reformation and Uniformity of Church-
 ‘ Government, contained under the general *Pro-*
 ‘ *poſitions* ; all of them, after much Debate, being
 ‘ long ſince offered by the Aſſembly of Divines unto,
 ‘ and a great Part of them reſolved upon by, both
 ‘ Houſes, which may alſo, in a ſhort Time, re-
 ‘ ſolve upon the Remnant : By this Means we ſhall
 ‘ proceed the more diſtinctly and affuredly : and
 ‘ theſe Articles, formed up in a Model, may be
 ‘ conſidered and granted by the King with the
 ‘ clearer Knowledge ; which is very neceſſary,
 ‘ not only in other *Propoſitions*, which are framed

An. 22. Car. I.
1646.

April.

An. 22. Car. 1.
1646.

April.

as particularly as may be, but also and especially in the Matter of Religion.

This was the Course approved and observed at the Treaty of *Uxbridge*; where so much as was at that Time prepared for settling Religion, was presented. If we should, without the Knowledge of Particulars, rest upon the general Proposition, *Peace* might be settled without the settling of Religion; except in so far as, by the King's Consent, the Power of Reformation is to be in the Houses, and Uniformity of Religion is placed in the Parliaments of both Kingdoms; which doth not answer our *Covenant*, binding both Kingdoms to the Exercise of their Power, by their Endeavours in the Particulars therein specified. Nor will this General give Satisfaction to any of the Reformed Churches, especially to the Church of *Scotland*; nor will it be able to cure the present Distempers of Religion in the Church of *England*, which call for a present Reformation; nor secure them or us from altering of that which is already ordained; nor be any Recompence of the many Labours and Sufferings, and the much Expence of Blood and Treasure, in this Cause.

Having perused the several *Ordinances*, *Directions*, and *Votes* of the Honourable Houses concerning Church-Government delivered unto us, which we conceive will be the Matter of the *Propositions* of Religion, and in this Sense only we speak to them; we do agree to the Direction for the present Election of Elders, to the Subordination of Congregational, Classial, Provincial, and National Assemblies; and to the Direction concerning the Members of which they are constitute, and the Times of their Meeting: Only we desire that no godly Minister be excluded from being a Member of the Classial Presbytery; nor any godly Minister, having lawful Commission, from being a Member of the Provincial and National Assemblies; there being the greater Need of their Presence and Assistance in such Assemblies, in that there are no Ruling Elders

ders to join with and assist them. And we desire
 that a fix'd Time be appointed for the ordinary
 Meeting of the National Assembly, with Power
 to the Parliament to summon them when they
 please, and with Liberty to the Church to meet
 oftener, if there shall be necessary Cause; the
 ordinary Meeting thereof being most necessary
 for preserving Truth and Unity in the whole
 Church, against the Errors that may arise and
 multiply in the Church, and against the Divisions
 and Differences that may distract the inferior As-
 semblies of the Church, and for receiving and de-
 termining Appeals from Provincial Assemblies,
 which otherwise will be infinite, and lye over
 long without Determination; and the Exigence
 of Religion sometimes being such, that it will
 require an extraordinary Meeting.

An. 22. Car. I.

1646.

April.

We agree to the Rules and Directions concern-
 ing Suspension from the Sacrament of the Lord's
 Supper, in Cases of Ignorance and Scandal: On-
 ly we desire that the Congregational Elderships
 may have Power to judge in Cases of Scandal
 not enumerated, with Liberty to the Person grie-
 ved to appeal, as in other Reformed Churches.
 This we conceive to be a Power no more arbi-
 trary in this Church, than in them who are li-
 mited by the Rules expressed in Scripture, and do
 exercise this their Power with such Moderation,
 as is a Comfort, Help, and Strengthening of Civil
 Authority: The appointing of Provincial Com-
 missioners, such as are appointed in the *Ordinance*,
 will minister Occasion to such Debates and Dis-
 putes in this and other Churches, as will be very
 unpleasant to Parliaments and Civil Powers; will
 make a great Disconformity betwixt this and o-
 ther Churches, and a present Rent and Division
 in this Church; is such a Mixture in Church-
 Government as hath not been heard of in any
 Church before this Time; may prove a Founda-
 tion of a new Episcopacy, or of a High Com-
 mission; and the Work may be better done by
 the Assemblies of Ministers and Ruling Elders,

An. 22. Car. I.
1646.

April.

who have this in their Ecclesiastical Charge, and will be no less tender of the Honour of Parliament, by whose Laws they live and are protected, and as able and willing to give just Satisfaction to the People, whose Consciences and Conversation are best known unto them, as any other Persons whatsoever. Concerning the Suspension of the Ministers themselves, although Scandal in them deserveth double Censure, yet we conceive it to be most agreeable, that they have their Censure from the Classcal or other superior Assemblies of the Church, where there be Ministers to judge them. We do also agree to the *Ordinance* for the Ordination of Ministers; only we desire it may be provided, That it stand in Force for all Time to come.

There be other Matters contained in the *Ordinances*; as, The Manner of Subordination of the Assemblies of the Church to the Parliament, so much subject to Mistake; the seeming Exemption of some Sorts of Persons from the just Censures of the Church; the administering the Sacrament to some Persons against the Conscience of the Ministry and Eldership; concerning public Repentance to be only before the Elderships, and such like; which may be taken into Consideration, and, with small Labour and Alteration, be determined to the great Satisfaction of many. As for the Remnant, concerning the perpetual Officers of the Church, and their Offices; the Order and Power of Church-Assemblies; the Order of public Repentance, and of proceeding to Excommunication and Absolution; we desire they be agreed upon according to the *Covenant*, and the Advice of the Divines of both Kingdoms, long since offered to both Houses; which being done, they may be presently drawn in a Method, and formed up in a Model of Church-Government in three Days; to the Quieting the Minds of all the Godly concerning the particular Meaning of both Kingdoms in the Matter of Religion, to the great Content of the Reform-
ed

ed Churches ; and which will both make us distinctly to know what we demand, and the King what he doth grant.

An. 22. Car. I.

1646.

April.

As to the 18th *Proposition* touching the Militia, they say, ' We desire that the Militia may be so firmly settled, as neither the King nor any other may be able to disturb or infringe the *Peace* now to be agreed upon ; and although it be our Judgment, That the former *Propositions* (*viz.* those of *Uxbridge*) are a more firm Security for conserving the Peace, and a stronger Bond of Unity betwixt the Kingdoms than the new, and are therefore desirous the Houses would be pleased to send the former ; which being granted by his Majesty, we think the Militia perfectly secured, and that the War should not be continued by insisting on the new *Propositions* ; yet, lest our Disagreement herein with the Houses should be a Hindrance to the sending of *Propositions*, that we may testify how desirous we are, so far as in us lies, to give the Houses Satisfaction ; and how much we value the speedy settling of the Peace of these Kingdoms above our own Interest, (provided that it be understood to be without Prejudice to the Right and Interest of the Crown, which we understand to be conjoined with the respective Parliaments in the Militia of both Kingdoms, and not to be absolutely in the King himself ; and that the King and his Posterity be not totally excluded, and rendered incapable to concur with their Parliaments for protecting of their Subjects, and opposing the Enemies of the Kingdoms ; and provided that it be without Prejudice to the several *Treaties* between the Kingdoms) we do consent that the Power, Exercise, and Managing of the Militia in each Kingdom, be settled in the Parliaments of either Kingdom respectively, for such a Time as shall be mutually agreed upon ; and, after the Expiration of that Term, that the Militia be settled and exercised in such Manner, and by such Ways and Means, as shall be agreed upon by his Majesty and the Parlia-

An. 22. Car. I.
1646.

April.

ments of either Kingdom respectively ; whereby
 the Power of the Militia of *England* and *Ireland*,
 which, by the former *Propositions*, was in the
 Commissioners of both Kingdoms, will be in the
 Houses of Parliament ; the People will be secu-
 red from all Apprehensions of Dangers by reason
 of the late Troubles ; and the King, who is one
 of the three Estates of the Kingdom, will not be
 for ever excluded from that just Power and Inte-
 rest in the Militia, by which he may concur with
 the Parliament in Defence of the Kingdom.

And for this, in their *Second Paper*, they assign
 particular Reasons ; as,

1st, That, by the Fundamental Laws and
 constant Practice of the most legal and best re-
 gulated Kingdoms, and by the Laws and Practice
 of these Kingdoms, declared to the World by
 the Honourable Houses, the Power of War and
 the Militia is placed in the King and Parliament ;
 and so acknowledged by all that write upon this
 Subject for Parliaments ; which is directly con-
 trary to this new *Proposition*, by which the whole
 Power of the Militia is solely placed in the Houses
 of Parliament, and the Crown excluded for ever.

2^{dly}, Because in the *Petitions*, *Messages*, and
Declarations sent to the King, emitted to the
 Kingdom and to all the World, we have pro-
 fessed, That no more was sought concerning the
 Militia, but that it might be intrusted to such
 Persons as the Parliament should nominate and
 approve, and might confide in, without Diminu-
 tion of the King's Authority or just Power ; and
 made Professions to preserve and defend the King's
 Person and Authority. That the World may bear
 Witness with our Consciences of our Loyalty,
 and that we have no Thoughts or Intentions to
 diminish his Majesty's just Power and Greatness,
 was used as a special Argument to persuade *Scot-*
land to join with *England* in this War ; and the
 same is a Part of the third Article in our *Cove-*
nant : And now to exclude the King and his Po-
 sterity for ever from the Militia will be under-
 stood

stood to be an Alteration of the Fundamental Government, contrary to the former Resolutions and Declarations of both Kingdoms, and not agreeable to our Covenant.

An. 22. Car. I.

1646.

April.

3dly, ' Because the settling of the Militia, according to the new Proposition, may disable the Crown from ever performing that Duty which all Kings, by their Royal Office and Oath of Coronation, are bound to perform, and their Subjects, by their Oath of Allegiance, bound to assist; for the Protection of their Subjects and the Laws, for opposing their Enemies, and keeping Friendship and Correspondence with their Allies.

4thly, ' Because hereby, in one Age or another, Differences may hence arise between the Kingdoms being separated in their Militia; yea, in any one of the Kingdoms, the King's Posterity reflecting on the Power of their Predecessors, may be soon incited to endeavour, by new Stirs, to regain it: Whereas the Power remaining in them, with the Advice of their Parliaments, may preserve the Kingdoms in Peace; *quo æquiores, eo firmiorem, Pacem.*

Lastly, ' The sending this Proposition is like to cut off all Hopes of Peace; since his Majesty, in several Declarations, hath avowed, That albeit he were vanquished and made Prisoner, he would quit both his Estate and his Life, before he would thus uncrown the Crown, and depose his Posterity: And then let any Man judge if this be the fittest Way for a speedy and durable Peace, which, in Truth, is the Sum of all our Desires.'

Their Third Paper was only a Collection out of several Declarations of the two Houses, of Professions of their Resolutions for Uniformity of Religion, and stating the Militia to be in the King and Parliament conjunctly.

Their Fourth Paper was to prove, ' That the Result of the Committee of both Kingdoms at Edinburgh, Nov. 28, 1643, was a Treaty; and the Ground of controverting thereof was, because

An. 22. Car. I.
1646.

April.

in the 13th *Proposition*, now offered to them, it is
 ' proposed, That the two Houses at *Westminster*
 ' shall have the Command of all the Forces in
 ' *England* and *Ireland*: Whereas, by the Result
 ' aforesaid, the *Scots* Army in *Ireland* was to be
 ' commanded by the Parliament of *Scotland* and
 ' such as they should appoint. To avoid which,
 ' the Parliament of *England* now disown'd That
 ' to be a formal *Treaty* between the two King-
 ' doms, but only a temporary Concession of the
 ' Committee: And the *Scots* insisted it was, and
 ' that it had all the necessary Formalities and Cor-
 ' roborations of a *Treaty*.'

Besides these Exceptions to the *Propositions*
 drawn by the two Houses, the *Scots* Commissioners
 also desired an Addition of two more, relating to
 the Advantage of their Nation, *viz.*

1. ' That in regard of the great Advantage,
 ' which a Kingdom enjoyeth by the Royal Pre-
 ' sence and ordinary Residence of their Sovereign
 ' with them, and the great Loss and Prejudice
 ' which the other Kingdom doth sustain through
 ' their Absence, (by the King's not understanding
 ' the Disposition of the People, or Condition of their
 ' Affairs, but from the Information of others, be-
 ' sides many other Prejudices,) we do therefore
 ' earnestly desire the Consent of the Honourable
 ' Houses for sending to his Majesty a *Proposition*,
 ' That the King and the Prince, and, after them,
 ' their Heirs and Successors, shall, at least one Year
 ' in three, reside in *Scotland*, where they may per-
 ' sonally discharge that Duty they owe to the Sub-
 ' jects of that Kingdom; where Conscience cannot
 ' allow them to be always Non-residents, nor the
 ' Welfare of the Kingdom dispense with their
 ' constant Absence.

2. ' Upon the like Causes and Grounds, we de-
 ' sire the Honourable Houses to concur with us in
 ' a Desire to his Majesty, That, in all Places of
 ' Trust and Offices about the King, Queen, and
 ' Prince, and the rest of his Royal Children, the
 ' equal

‘equal Half, or at least the Third Part, may be
 ‘of the *Scots* Nation; lest, by Time, they become
 ‘Strangers each unto other; which must needs
 ‘produce many Inconveniencies. And this we
 ‘trust will not be interpreted as the casting in of
 ‘any Let or Hinderance to retard the *Propositions*;
 ‘sith the Honourable Houses have given us so good
 ‘Hopes of their Consent, without Debate, to such
 ‘*Propositions* as we conceive to be conducive for
 ‘the Good and Security of the Kingdom of *Scot-*
 ‘*land*.’

An. 22. Car. I.

1646.

April.

Although the Commons took these last *Papers*, presented by the *Scots* Commissioners, into Consideration from Time to Time, and there were long Debates and frequent Divisions upon them, yet we find no Answer thereto in the *Journals*. It is very probable none was given; for Mr. *Holles*, who appears to have been one of the Tellers in almost every Question that was moved in favour of the *Scots*, writes thus^a: ‘Malice against the *Scots* carried them [the *Independents*] to discover a manifest Slighting and Neglecting, and (that not sufficiently provoking) a violent Injuring and Affronting of them. First, they vouchsafe not to answer the *Papers* they put into the House, some not at all, none presently (as formerly they were wont to do) nor in any convenient Time; but make them wait Days, and Weeks, and Months, for a Return to what the Commissioners present from the Kingdom of *Scotland*, or from themselves in the Name of that Kingdom.’

There is nothing else in the Proceedings of the rest of this Month memorable enough for our Purpose; only that the Lords, having had no Answer to the Parliament’s *Letter* sent to the Prince of *Wales*, thought proper to make some Inquiry after it: They therefore ordered that the Speaker should write a *Letter* to Sir *Thomas Fairfax*, to know of him whether he received such a *Letter* from

^a *Memoirs*, p. 53.

376 *The Parliamentary* HISTORY

An. 22. Car. I.
1646.

May.

from the Houses of Parliament, and when he sent it to the Prince. A Day or two after this, the Lords were informed that Mr. *Seymour* lately brought a *Letter* from the Prince, directed to both Houses of Parliament; and, because the Lords had heard nothing of it, it was ordered that the said Mr. *Seymour* should attend the House, to give an Account thereof. Accordingly Mr. *Seymour* appeared and said, That being sent by the Prince with the *Letter*, he was coming two Days ago to deliver it to the Lords, but their House being up, and the House of Commons hearing of it, they sent for him, and he delivered the *Letter* to them.

The King leaves
Oxford in Dis-
guise.

May. This Month begins with more Misfortunes attending the King and his Cause. Many of the chief Nobility of the Kingdom had now left him, and thrown themselves upon the Mercy of the Parliament; so that he had very few steady Friends or Counsellors about him.

May 2. Col. *Rainsborough* informed the Lords, That four Days ago there came into his Quarters, near *Oxford*, the Duke of *Richmond* and the Earl of *Lindsey*, with some other Gentlemen, who were then at *Woodstock*. Also that, by several Informations, he had heard the King went out of *Oxford*, disguised, on *Monday* the 27th ult. and only Mr. *Ashburnham* and Dr. *Hudson*, a Minister, with him: That it was likely he would come to some Place in or near *London*, and lie concealed untill he saw Occasion to discover himself.— But we shall soon see to how great Extremity distressed Majesty was then driven.

The two last mentioned Lords were ordered to be taken into Custody of the Black Rod, and conducted, under Colonel *Rainsborough's* Guard, to *Windsor-Castle*, there to remain till the further Pleasure of the House was known.

May 4. The following *Letter* from the Lord *Mentague*, one of the Commissioners in the Scots Army

Army before *Newark*, was read in the House of An. 22. Car. I.
Lords: 1646.

May.

To the Right Honourable the SPEAKER of the
House of PEERS.

My Lord,

I Here inclosed send your Lordships the Copies Letters, &c. con-
of our second *Summons* and the *Answer there- concerning the Sur-
unto. We are to meet with the Scots Commis- render of New-
sioners To-morrow in the Morning, at Balder- ark to the Par-
ton; and shall, from Time to Time, give your liament's Forces.Lordship an Account of our Proceedings. I am*

Lincoln, April 29, Your Lordship's humble Servant,
1646.

E. MONTAGUE.

For the Governor of the Town and Garrison of New-
ark, the Gentlemen there, and the Mayor, Al-
dermen, and Burgeffes of that Town.

WE hope you have considered that our
Paper, as you term it, contained a *Sum-
mons* from us, and what we received from you
merits no *Reply*. We were in earnest, as to give
an Account to God and Man of our Proceedings,
and to shew that nothing from you can hinder
our endeavouring that you may see your approach-
ing Ruin; and, whilst there is Time to avoid it,
we once more demand of you, in the Name of
both Houses of the Parliament of *England*, and
for the Use of the King and Parliament, that you
forthwith deliver up the Town and Garrison of
Newark into their Hands; and we shall give you
Conditions for the Surrender thereof, which you
must not expect to be such as you might formerly
have obtained. Your now accepting of what is
offered, will declare you are sensible of the total
Loss of your Estates, the Devastation of the
Country round about you, of the Ruin of the
Town, and of the Blood which may else be spilt.
We

378 *The Parliamentary History*

An. 22. Car. 1.
1646.

}
May.

' We shall expect your positive Answer, To-mor-
' row by Three in the Afternoon, at *Balderton*.'

*Signed in the Name and by the Warrant of the
Committee of both Kingdoms.*

*Collingham, April 27,
1646.*

E. MONTAGUE.
LOTHIAN.

The ANSWER to the foregoing SUMMONS.

' **T**HE Consideration of what is required in
' your *Summons* of *Monday* last being of so
' high Concernment to his Majesty, and to the
' particular Interests of very many of his faithful
' Subjects in this Garrison, I conceive a shorter
' Time than *Monday* next will not be sufficient to
' prepare Articles of so divers Natures, as are ne-
' cessary to be treated on; at which Time I will
' not fail to send such to you, and upon your As-
' sent to them, surrender the Town: In the mean
' Time I here send you the Names of such Com-
' missioners for the Nobility, Gentry, Soldiery,
' Clergy, and Townsmen, as I do intrust for the
' treating upon those Articles with an equal Num-
' ber of yours, whose Names I shall desire by the
' next, and that you will appoint such a Place as
' you think most convenient for the *Treaty*; and
' do further expect, that a Safe-Conduct be grant-
' ed, and Hostages delivered, for the Security of
' the Commissioners employed by me, viz. the
' Lord *Lexington*, Mr. *Bellasyse*, Sir *Bryan Palmes*,
' Sir *Gervase Nevill*, Colonel *D'Arcy*, Major-Ge-
' neral *Eyre*, Sir *Simon Fanshawe*, Sir *Gamaliel Dud-*
' *ley*, Colonel *Gilby*, Colonel *Atkins*, Dr. *Marsh*
' Dean of *York*, and Mr. *Standish*, Alderman.'

April 29, 1646.

J. BELLASYSE.

The Prince of
Wales's Answer
to the Parlia-
ment's Invita-
tion, sent up by
Sir Thomas Fair-
fax.

The same Day the Commons sent up to the
Lords the *Letter* from the Prince of *Wales*, which
was inclosed in one from the Lord *Hopton*, and
both in another *Letter* from Sir *Thomas Fairfax*;
all which were read as follows:

For

For the Honourable WILLIAM LENTHALL, Esq; An. 22. Car. I.
1646.
SPEAKER of the House of COMMONS.

Mr. Speaker,

May.

THE inclosed is the *Answer* I received from Scilly to the *Letter* you sent his Highness, whose own *Answers* to both Houses are sent up by Sir *Joseph Seymour*°. What is desired concerning the Prince's Tutor, I leave wholly to your Consideration, and rest

Your most humble Servant.

THOMAS FAIRFAX.

For Sir THOMAS FAIRFAX, General.

SIR,

HIS Highness received a *Letter* from the Speakers of both Houses of Parliament by a Trumpeter of yours, which he delivered with his own Hand, according as he said his Order was. His Highness hath sent his *Answer* by this Gentleman, Sir *Joseph Seymour*. I have here no Trumpeter to send with him, and must therefore pray you to excuse that Form. His Highness desires you would give this Gentleman his Pass to go to London with this *Letter*, and to return to him in the Isle of *Jersey*. His Highness likewise desires you will give your Pass to his Tutor, the Bishop of *Salisbury*, with his Family and Servants, to come to him to *Jersey*; and so I rest,

Your Servant,

Scilly, April 15, 1646.

HOPTON.

To the LORDS and COMMONS assembled in the Parliament of England.

WE have received your *Message* of the 30th of March, the 11th of this present, by which you, being informed of our late Remove into this Island

° In the *Journals* this Gentleman is stiled only Mr. *Seymour*; for the Parliament did not admit any Titles or Honours conferr'd by the King after he left London in January 1641.

An. 22. Car. 1.

1646.

May.

Island of Scilly, do invite us to come forthwith into your Quarters, and to reside in such Place, and with such Council and such Attendants about us, as you, the two Houses, shall think fit to appoint.

We have a great and earnest Desire to be amongst you, if we might have any Assurance that it would prove an Expedient towards a blessed Peace and the Composure of these miserable Distractions; and therefore, when we were compelled to depart from Cornwall, we chose this poor Island to reside in, where we hoped we might have securely attended God's Pleasure, till we might have been made an Instrument towards a happy Peace; but the Scarcity of Provisions being such in this Place, that we have not since our coming hither, which is now about six Weeks, received one Day's Victual, though we left Servants of our own in our Duchy of Cornwall to take Care for our necessary Supply, we are again compelled to remove to the Island of Jersey, whither we hope God Almighty will direct us; which Place we chose the rather, as well being Part of the Dominions of our Royal Father, (which as yet is evident to you we have no Purpose to quit) as being much nearer to you, and so fitter for Correspondency; and, therefore, that we may the better receive Advice from you, with which we shall always comply as far as with our Duty and Piety we may, we desire you to send to us a Safe-Conduct for the Lord Capel to come to you, and to receive from you such particular Propositions for our Welfare and Subsistence as you think fit to make; and that he may then attend our Royal Father and return to us at Jersey; and thereupon we hope, by the Blessing of God, you will receive such Satisfaction as shall testify the great Desire we have, and shall always have, to follow the Counsel and Advice you shall give; which will be an unspeakable Comfort to us.

Given at our Court in the Isle of Scilly, the 15th of April, 1646.

CHARLES P.

After the Reading of this moving Letter from the Prince, the Lords immediately appointed a Com-

Committee of five of that House to draw up an *Answer* to it. An. 22. Car. I.
1646.

The last Proceeding of this Day, worth Notice, was the Lords Concurrence in a *Vote* sent up by the Commons, 'That it be hereby declared by the Lords and Commons in Parliament assembled, That what Person soever, who shall harbour or conceal, or know of the harbouring or concealing, the King's Person, and shall not reveal it immediately to the Speakers of both Houses of Parliament, shall be proceeded against as a Traitor to the Common-Wealth, forfeit his whole Estate, and die without Mercy.'—*Ordered* also, at the same Time, 'That the Committee of the Militia of London be desired to publish this *Order* by Beat of Drum, or Sound of Trumpet, in the Cities of London and *Westminster*, and the Lines of Communication.' Orders occasion-
ed by the King's
withdrawing
himself from
Oxford.
May.

The Houses were not long in a State of Uncertainty, in relation to the Place of the King's Retreat: For

May 7. A *Letter* was read in the House of Lords, from the Lord *Montague*, with some others inclosed, by which their Doubts, indeed, were taken off, but their Fears were increased, by his Majesty's sudden and surprizing Resolution of throwing himself into the Hands of the Scots Army then before *Newark*; the Tenor of all which were as follows: The first *Letter* was thus directed,

For the Right Honourable the SPEAKER of the House of PEERS pro Tempore.

May it please your Lordship,

'WE were this Morning, about Ten of the Clock, credibly inform'd that the King, with three others, came in great Speed this Morning, about Seven of the Clock, to *Southwell*, and went to the House of Monsieur *Montreville*, the French Agent.

'About

An. 22. Car. 1.
1646.

May.

' About Twelve this Day two of the Scots Com-
' missioners brought us a Letter, a Copy whereof
' is here inclosed. The two Commissioners pre-
' sently returned, and, in this Surprize, we could not,
' at the present, think further than to desire of them
' that his Majesty might not remove, which they
' approved of; and that we might speedily meet
' the rest of them at *Faringdon*, which was con-
' sented unto. We are now going thither accord-
' ingly, and shall immediately advertise your Lord-
' ships of our further Proceedings; and we beseech
' to know the Pleasure of the Houses, with all pos-
' sible Speed, how we shall direct and guide our-
' selves herein.

From Col. Rossiter's
Tent, at the Lea-
guer before New-
ark, the 8th of
May, 1646.

Your Lordship's

most humble Servants,

E. MONTAGUE.

WILL. PIEREPONT.

The Letter referred to in the foregoing was as follows :

For the Right Hon. the COMMISSIONERS of the
Parliament of England.

Southwell, May 5, 1646.

Right Honourable,

' **T**HE Discharging ourselves of the Duty we
' owe to the Kingdom of *England*, and un-
' to you as Commissioners from the same, moves
' us to acquaint you of the King's coming into our
' Army this Morning; which has overtaken us
' unexpectedly, filled us with Amazement, and
' made us like Men that dream. We cannot think
' that he should be so ill advised in his Resolutions,
' as to have cast himself upon us without a real
' Intention to give full Satisfaction to both King-
' doms in all their just and reasonable Demands, in
' all those Things that concern Religion and Righ-
' teousness. Whatsoever be his Disposition and Re-
' solutions, you may be sure that we shall never
' entertain

'entertain any Thought, or correspond with any Person, nor countenance any Endeavours, that may, in any Circumstance, entrench upon the League and Covenant, or weaken the Union or Confidence betwixt the two Nations; That Union was unto our Kingdom the Matter of many Prayers; and as nothing was more joyful to us than to have it set on Foot, so hitherto we have thought nothing too dear to maintain it; and we trust to walk with such Faithfulness and Truth in this Particular, that as we have the Testimony of a good Conscience within ourselves, so you, and all the World, shall see we mind your Interest with as much Integrity and Care as our own, being confident you will entertain no other Thoughts of us.

An. 22. Car. I.
1646.

May.

Sign'd by Warrant and Command of the Commissioners of the Parliament of Scotland, by

LOTHIAN.

Next a Letter, from the Scots Commissioners residing in London, was read:

For the Right Honourable the SPEAKER of the House of PEERS pro Tempore.

My Lord,

'HAving received no other Advertisement, neither from the Committee of Estates with the Scots Army, nor by any other Way; but that we hear this Afternoon, that Letters are come to the Honourable Houses, giving Notice that the King is come to the Scots Army near Newark; we have judg'd it incumbent on us to present to the Houses, that, if his Majesty be gone thither, we are very confident that the Lord-General and Committee of that Army, from whom we expect to hear speedily, will do that which best beseems their Places, and Trust to the Good of the Kingdoms, according to the Conditions

An. 22. Car. 1.
1646.

May.

ditions of the mutual *Covenant* and *Treaty* be-
twixt the two Nations; and we desire that, by
common Advice, the present Opportunity may
be improved for settling of Religion and the Peace
of both Kingdoms; which, as it hath always
been, so it is now, and shall ever be, the earnest
Desire and constant Endeavours of

Your Lordship's

Very affectionate Friends

Worcester-House,
May 6, 1646.

and humble Servants,

LOUDON.

HEN. KENNEDY.

LAUDERDALE.

ROB^t. BARCLAY.

A. JOHNSTON.

The same Day a Conference was held, by De-
fire of the House of Commons, at which they pro-
duced some *Letters* from their Commissioners be-
fore *Newark*, exactly to the same Tenor as the for-
mer; except a *Letter* from Major-General *Pointz*,
who commanded the *English* at the Siege, and an
Abstract of a *French Letter*, which we here sub-
join.

For the Honourable WILLIAM LENTHALL, Esq;
Speaker of the House of Commons.

S I R,

May 5, 1646.

I Sent you this Day Notice of a Relation of
the King's Coming to the *Scots* Quarters,
the Confirmation whereof I conceive to be a Bu-
siness of that Consequence, that I posted away
my Secretary to assure you that he is safely se-
cured at *Kelham* by the *Scots*.

Our Process in the Treaty was in great For-
wardness, but we now rather expect his Maje-
sty's Commands for a Surrender than the Prose-
cution of a Parley; however, in a few Days I
shall be able to give you Satisfaction therein; in
the mean time this, and the Bearer, with my
humble

humble Service, I desire may be presented to the An. 22. Car. I.
House from 1646.

Your most humble Servant,

May.

SIDENHAM POINTZ.

R. S. The Bearer will give you our Condi-
tion more perfectly if you please to com-
mand it.

Next was read a Letter sent from the Agent for
the Parliament of England at Paris.

MINUTE of a LETTER from Monsieur AUGIER,
from Paris, of ^{May} 4 April, 1646.

A T last the Prince of Wales is at Jersey. A Letter from
The Queen his Mother doth send Mr. the Parliament's
Jermyn, his Brother Captain Cock, and some Agent at Paris,
others, to fetch him hither, where he will
expect what will be the King his Father's Suc-
cess.

Monday last the said Queen received Intelli-
gence he would go out of Oxford, in spite of his
Enemies, to join the Scots, as being agreed with
them. Many do flatter themselves as if the said
Prince would be sent into Scotland to raise Mon-
rose's Party again, because the King could not
do it himself.

The Commons likewise said, at this Conference,
That, upon serious Debate of the foregoing Let-
ters, they had passed two Votes, viz.

1. Ordered, by the and Commons in Par-
liament, That it be desired of the Scots Commis-
sioners that were resident with their Army before
Newark, and also of their General there, that the
Person of the King might be disposed of to such a
Place, within this Kingdom, as the two Houses
of Parliament should appoint.

2. Ordered, That the Place to which the Per-
son of the King shall be disposed of, shall be War-
wick.

The Commons
resolve to send
the King to
Warwick Castle;

An. 22. Car. I. *wick Castle.* But it being late, the Lords put off
 1646. the Consideration of these *Votes* till next Day.—
 May. Accordingly

May 8. We find that these two *Votes* were very
 To which Votes warmly debated in the House of Lords for a long
 the House of Time, and the Question being at last put, Whe-
 Lords disagreeing ther this House agrees with the House of Com-
 mons in the first *Vote* as it was brought up from
 them? it passed in the Negative. The following
 Lords begg'd Leave, before the putting the Que-
 stion, to enter their Dissent, if it was carried against
 them.

DENBIGH.

SALISBURY.

NORTHUMBERLAND.

NOTTINGHAM.

PEMBROKE and MONT-

SAY and SELE.

GOMERY.

GREY.

KENT.

HOWARD.

MIDDLESEX.

WHARTON.

The same Question being after put on the se-
 cond *Vote*, relating to the particular Place where
 the King should be carried to, this also passed in the
 Negative. But the following Lords enter'd a Pro-
 test, with their Reasons, against this and the former
Vote: A Custom very rarely practis'd in the House
 of Lords at this Time.

After reciting both the *Votes*, as before, they
 added,

Several Peers en-
 ter their Protest.

WE, whose Names are underwritten, ha-
 ving, before the putting of the aforesaid
 Question, demanded our Right of Protestation,
 if the Question was carried in the Negative, as
 it was; and finding, by *Letters* of the 6th Instant,
 from the Commissioners of the Parliament of En-
 gland, near *Newark*, this Day read in the House
 of Peers, That strict Guards were kept by the
 Scots Army about the House where the King
 then was, and none suffered Access to his Person
 without their Permission, we conceive this to be
 a Matter of so high Concern, both to the Par-
 liament

liament and Kingdom, (That in such a Case the Houses of Parliament should not desire that the Person of the King of *England* may be disposed of to such a Place, within this Kingdom, as the Houses should appoint) That, to clear ourselves from the ill Consequences that may ensue thereupon, we have thought fit to enter this our Dissent and Protestation against it, which we do accordingly.

An. 22. Car. I.
1646.

May.

MIDDLESEX.	NOTTINGHAM.
DENBIGH.	KENT.
NORTHUMBERLAND.	SALISBURY.
PEMBROKE and MONTGOMERY.	SAY and SELE.

The *Letters* referred to in the foregoing *Protest* were read this Day in the House of Lords, before the Debate and putting the Question about the *Votes*; but, for the Sake of Connection, we have placed that first. These contain an Account of the Surrender of *Newark*, and the Articles on which it was yielded up; the first of them we shall give as it stands in the *Journals*, but the latter, being rather Military than Parliamentary, and published in *Rushworth*, is unnecessary here. Thus this gallant Town, which had stood a long Siege against two powerful Armies, and at the same Time had the Misery of a raging Pestilence within it, was surrendered by the King's Command, when, in all Probability, it might have held out much longer.

Newark surrendered to the Parliament by the King's Orders.

The two *Letters* beforemention'd came from the Lord *Montague*, &c. and were address'd to the Committee of both Kingdoms at *Derby-House*.

My Lords,

Yesternight, about six of the Clock, we met with the *Scots* Commissioners in the Meadows betwixt *Kelham* and *Faringdon*; and they told us the King was come to *Kelham* to Lieutenant-General *David Lesley's* Quarters, and that they

An. 22. Car 1.
1646.

May.

they had been with him there; but could not acquaint us with their Resolutions till this Morning. Strict Guards are kept on the *Scots* Side near *Kelham*, and about the House where the King now is, and none suffered to have Access to his Person without their Permission: But for Monsieur *Montreville*, in regard he is an Agent for the *French* King, they cannot deny him to speak with the King at his Pleasure; but my Lord-General and the Committee assure us, this Morning; they will be very careful that nothing shall be done to the Prejudice of the Interest of either Kingdom, and that they acquainted the Committee of Estates in *Scotland* and your Lordships with the King's Coming into their Quarters, and intend to keep him in their Army till Advice from them; and further acquainted us, that the King told them he would signify to the Parliament what his Intentions were.

We shall give your Lordships a further Account from Time to Time.

Balderton, May 6, 1646. Your Lordships

Humble Servants,

E. MONTAGUE.

EDW^d. ASCOUGH.

W^m. PIEREPONT.

ANTH. IRBY.

W^m. ARMYN.

THO^s. HATCHER.

My Lords,

THE Treaty for the Surrender of *Newark* is this Night concluded, a Copy of the Articles is here inclosed sent. We beseech your Lordships we may receive your speedy Resolutions for disposing of the *Scots* Army, and have your Lordships Assistance to prevail upon the Houses, that some Money may be speedily sent to us for them; these Parts being exhausted, and very great Inconveniences will not else be prevented.

We

‘ We humbly desire to know the Command of
 ‘ the Houses, or of your Lordships, to their Forces
 ‘ here, which will be readily obeyed; and a good
 ‘ Account, we are confident, will be given of them
 ‘ wheresoever they go, for Fidelity, Courage, and
 ‘ good Discipline.

An. 22. Car. I.
 1646.
 May.

‘ We assure ourselves that the Houses, who gave
 ‘ the Glory to God, to whom all Praise is due, for
 ‘ their former Success, will appoint a Day of
 ‘ Thanksgiving for this his Blessing also.

Balderton, May 6, 1646,
 Midnight.

[Sign'd as before.]

After this the Earl of *Manchester* reported a
Letter which had come from the Committee of
Scotland, residing with the Army before *Newark*;
 the Purport of which was to assure the Houses
 that the King, when he came into their Army, of-
 fered the Town and Garrison of *Newark* to be
 surrendered into the Hands of the *Scots* and *En-*
glish Commissioners; but that they made it their
 Desire to the King, that it might be surrendered
 into the Hands of the Parliament of *England* only,
 for the better preserving the good Correspondency
 between the two Kingdoms, and preventing of
 Jealousies. The *Letter* itself runs thus:

Right Honourable,

‘ **T**HE earnest Desire which we have to keep
 ‘ a right Understanding between the two
 ‘ Kingdoms, moves us to acquaint you with that
 ‘ strange Providence wherewith we are now sur-
 ‘ prized, together with our Carriage and Desires
 ‘ thereupon.

The Scots Com-
 missioners Ac-
 count of his Ma-
 jesty's coming
 into their Army.

‘ The King came into our Army Yesterday in
 ‘ so private a Way, that after we had made Search
 ‘ for him, upon the Surmises of some Persons who
 ‘ pretended to know his Face, yet we could not
 ‘ find him out in sundry Houses. And we believe
 ‘ your Lordships will think it was Matter of much
 ‘ Astonishment to us, seeing we did not expect

B b 3

‘ he

An. 22. Car. 1.
1646.

May.

‘ he would have come into any Place under our
‘ Power.

‘ We conceived it not fit to enquire into the
‘ Causes that perswaded him to come hither, but to
‘ endeavour that his being here might be impro-
‘ ved to the best Advantage, for promoting the
‘ Work of Uniformity, for settling of Religion
‘ and Righteousness, and attaining of *Peace* accor-
‘ ding to the *League* and *Covenant*, and *Treaty*, by
‘ the Advice of the Parliaments of both Kingdoms,
‘ or their Commissioners authoriz’d for that Effect.

‘ Trusting to our Integrity, we do perswade our-
‘ selves that none will so far misconstrue us, as
‘ that we intend to make Use of this seeming Ad-
‘ vantage for promoting any other Ends than are
‘ exprest in the *Covenant*, and have been hitherto
‘ pursued by us with no less Conscience than Care.
‘ And yet, for further Satisfaction, we do ingenu-
‘ ously declare, that there hath been no *Treaty* or
‘ Capitulation betwixt his Majesty and us, nor any
‘ in our Names ; and that we leave the Ways and
‘ Means of *Peace* unto the Power and Wisdom of
‘ the Parliaments of both Kingdoms : And so far
‘ as concerns us, as we have a Witness in Hea-
‘ ven, we are confident to make it appear to the
‘ World, that there is nothing more in our Desires
‘ than, in all our Resolutions and Proceedings, to
‘ adhere to the *Covenant* and *Treaty*.

‘ Our gravest Thoughts shall be taken up in
‘ studying, and our utmost Abilities employed in
‘ acting, those Things that may best advance the
‘ Public Good and common Happiness of both
‘ Kingdoms ; wherein, by the Help of the Most
‘ High, we shall labour to use so much Tendernefs
‘ and Care, that we hope it shall soon appear that
‘ our Actions have been the Issue and Result of ho-
‘ nest and single Intentions.

‘ And, further, we cannot, in a Matter of so
‘ deep Consequence and common Interest, but seek
‘ your Lordships Advice ; for which Effect we
‘ have also written to the Committee of Estates of
‘ *Scotland*, with Intentions to move, by your joint
‘ Coun-

‘ Counfels and Refolutions, that we at laft, after An. 22. Car. I.
 ‘ a Seed-time of many Afflictions, may reap the 1646.
 ‘ ſweet Fruits of Truth and Peace : And, in this }
 ‘ Confidence, we remain May.

Southwell, May 6, Your Lordſhips
 1646.

Humble Servants,

LEVEN.

BALCARRAS.

DUMFERMLINE.

HUME.

LOTHIAN.

R. FREEBAIRN.

W. GLENDINNING.

THO. CARR.

J. JOHNSTON.

Next was read a *Paper*, to back the former,
 from the *Scots* Commiſſioners reſiding in *London*;
 which was to this Purport :

May 8, 1646.

‘ **T**HE Letter from the Committee of Eſtates
 ‘ of the Kingdom of *Scotland* reſiding with
 ‘ the *Scots* Army, directed to the Commiſſioners of
 ‘ both Houſes, and their *Letters* to the Committee
 ‘ of both Kingdoms, which we have received this
 ‘ Morning, we are confident will give full Satisfac-
 ‘ tion to the Honourable Houſes, that his Maſteſty’s
 ‘ coming into their Quarters was unexpected; and
 ‘ their perſuading of him to give his Surrender of
 ‘ *Newark* unto the Committee of both Kingdoms
 ‘ for the Uſe of the Parliament, will, no doubt,
 ‘ be taken by the Houſes as a ſufficient Teſtimony
 ‘ of their Faithfulneſs, and Sincerity of their In-
 ‘ tentions and Reſolutions; which, we are perſua-
 ‘ ded in our Hearts, are no other than they have
 ‘ been from the Beginning of this Cauſe, to the
 ‘ proſecuting whereof, according to the *Covenant*
 ‘ and *Treaty*, they have, and ever will limit them-
 ‘ ſelves in all Endeavours.

‘ The earneſt Deſire we have, according to our
 ‘ Commiſſion and the Truſt repoſed in us, to pre-
 ‘ vent all Miſunderſtandings between theſe King-
 ‘ doms, ſo happily conjoined, and ſo nearly tied
 ‘ by

An. 22. Car. 1.

1646.

May.

by the *Solemn League and Covenant*, hath inforced us to make known to the Honourable Houses what we hear commonly reported concerning 5000 Horse and Dragoons to have been Yesterday as far as *Banbury*, upon their March towards *Newark*; notwithstanding it is every where known that Garrison was upon a *Treaty*, and is now to be surrendered To-morrow to the Commissioners of the Parliament, and none of the *Scots* Forces to be placed therein; which being considered, and that there is no Force of the Enemy's in those Parts, we do earnestly desire that the Honourable Houses will be pleased to stop their March, and to prevent every thing which may give just Cause of Jealousy, or any ways weaken the good Correspondency, or lessen the Confidence, that is between the Kingdoms.

As the Committee of the Army have declared that they are free of all Capitulations or Treaties with his Majesty, so do we, for our Parts, declare the same to the Honourable Houses and all the World; and that his Coming to that Army was strange and unexpected to us, whereof we never heard till the Letters came to the Houses from their Commissioners upon the 6th of this Instant: And we do solemnly protest and assure, That it is our firm and constant Resolution never to swerve in the least from the *Covenant* and *Treaty*, but to apply our Thoughts, by joint Advice, to do every thing which may procure and settle an happy and well-grounded *Peace*.

By Command of the Commissioners for the Parliament of Scotland.

JOHN CHIESLEY.

The House of Lords, taking these *Papers* into Consideration, resolved, That the present Letters from the Commissioners of the Parliament, and from the Commissioners of the Estates of *Scotland* residing with the Army before *Newark*, and the Paper delivered in this Day by the *Scots* Commissioners, be made known to Sir Thomas Fairfax;

fax; and that it be signified unto him, that this House thinks fit that he should not send any Forces to *Newark*: And a Message was sent to the House of Commons, to desire a Conference thereupon the next Morning.

An. 22. Car. 1.
1646.

May.

It was also ordered that these Lords following, viz. the Earls of *Northumberland*, *Denbigh*, *Manchester*, and *Lincoln*, Lord Viscount *Say* and *Sele*, with the Lords, *Roberts*, *Wharton*, and *Willoughby* of *Parham*, should consider of the drawing up of a Letter to be sent to the King from both Houses, to propose that all Garrisons may be slighted and dismantled, and all Armies and Forces, both in *England*, *Scotland*, and *Ireland*, and all other Forces whatsoever that have any Commission from the King, may be speedily disbanded; and that the Consent of the *Scots* Commissioners be desired therein.

The Lords resolve to write to the King, to disband all his Forces.

But the foregoing Letters did not much allay the Jealousies which had long been, and still increased, between the two Nations; especially now that the *Scots* had got the King into their own Hands, and were strong enough to keep him there. As one Instance of the *English* Suspicions, the *Scots* Commissioners sent a Letter to the House of Lords this Day, *May* 9, complaining, 'That a Gentleman, employed by the other Commissioners for *Scotland*, and having their Pass to them in *London*, was ordered to go back into *Scotland* with their Letters and Pass; but was stopped the Night before by the Guards, or some other Persons, in or about *London*, their Letters opened and taken from him, and himself kept up; which was an Injury they could not have expected, but left it to the Wisdom of the Houses to consider how important it was; and to take such Course for delivering their Letters, and repairing of this unjust Action, as might be a Testimony of Affection and Justice to their Servants,

Complaint from the Scots Commissioners in *London*, of their Messenger being stopped by the Guards.

LOUDON.

LAUDERDALE.

A. JOHNSTON.

CHAR. ERSKINE.

H. KENNEDY.

ROBERT BARCLAY.

The

An. 22. Car. I.
1646.

May.

The Lords ordered that a strict Examination should be made what Officers were upon Guard the last Night, and who stopp'd and took the Letters, and make a Report of it to that House.

Two Days after, *May 11*, the Lords met, and a further Account was given to them of this Business, under the Hand of one Captain *Massey*, in these Words :

Capt. Massey's
Reasons for so
doing.

I Francis Massey, one of the Captains of Col. Bradley's Regiment, having the Command of the Guard at *Shoreditch*, on *Thursday* Night last, being the 7th of this Instant *May*, a Scots Gentleman was staid at the Passage about Nine o'Clock at Night; who being, as he said, going to the Scots Army, and shewing no Pass under any Hand known to me, I caused him to be staid and searched; and finding divers Letters about him, which he told me he knew not from whom he had them, upon which two of them were opened, one by myself, and the other by one of the Guard, whom I know not; and conceiving the Matter of that Letter, which was not writ in Characters, to be prejudicial to the Parliament and Kingdom, as being a Means of having the private Debates of the House of Commons published, my Conscience told me that I ought not to let pass any such Letters without the Consent and Knowledge of the Parliament, which caused me to stay the Person and Letters untill the Morning; at which Time I presented them to the House of Commons, where the Letters are now remaining, but the Person discharged, which was done upon *Friday* last, being the 8th of this Instant *May*.

FRANCIS MASSEY.

The Lords ordered a Copy of this Answer to be sent to the Commissioners of the Kingdom of *Scotland*, and that Capt. *Massey* have Notice to attend their House on the *Tuesday* Morning next; and then they

they would take this Business into further Consideration. An. 22. Car. I. 1646.

May.

Next the Draught of a *Letter* to be sent to the Prince, in *Answer* to that from his Highness, was read: After Debate, the Question being put, Whether this *Letter* shall be sent to the Prince without any Addition? it was resolved in the Negative.

Then the Question being put, Whether it shall be referred to the Committee for drawing up of the *Letter* to be sent to the Prince, to make an Addition to the said *Letter*, concerning the King's Coming into the Quarters of the Parliament, and concerning *Propositions* which are preparing to be sent to the King? it passed in the Affirmative.

The Commons had desired a Conference with the Lords about disposing of the Person of the King as both Houses should think fit, which was agreed to; and the same being over,

May 13. The Speaker of the House of Lords reported, That Mr. *Lisle*, at the Conference, said, A Conference concerning the Disposal of the King's Person. 'That the House of Commons had taken the *Vote*, wherein they formerly desired our Concurrence, and the *Answer* of the Lords into their serious Consideration; and, upon Debate, had *resolved* to adhere to their *Vote* as formerly delivered in.

'That in the first Place they observe, That the Answer of the Lords is a bare Negative, and no Reasons offered to induce them to alter their Opinions.

'Such a negative Answer they hold not to be usual in the Proceedings of Parliament, and they conceived it very inconvenient; for if one House may give any negative Answer, without any Reasons offered, the other House may adhere without any Reasons given for the same; and so the Houses would have no clear Understanding of the Grounds of each other's *Resolutions*.

'The

An. 22. Car. I.

1646.

May.

‘ The Reasons why the House of Commons adhere to their *Vote*, are :

‘ That it is the undoubted Right of the Parliament of *England*, that the Person of the King should not be disposed of whilst he is in this Kingdom, but by the Parliament of *England*.

‘ That the House of Commons having thought fit to make this Claim; and so to propound it to your Lordships, if, upon your Lordships Refusal to concur with them, they should acquiesce, it would hold forth to the World, that both Houses of Parliament have deserted their Interest in the King, and do not think fit to have him disposed of, by the Parliament, in any Place of this Kingdom.

‘ It is not honourable for the Parliament of *England* to suffer their King to be in the *Scots* Army in this Kingdom, and not to demand their King.

‘ It is not safe for the Parliament of *England* to suffer their King, whilst he maintains War against them, to continue in any Army within the Kingdom of *England*, without the Consent of the Parliament of *England*, lest his Personal Presence may have an ill Influence upon them.

‘ The *Scots* Army in this Kingdom is under the Pay of the Parliament of *England*: And whatsoever cometh into their Power within this Kingdom, wherein *England* hath an Interest, ought to be rendered up to the Parliament.

‘ Your Lordships are concerned by a higher Interest to make this Demand, which is by the *Solemn League and Covenant*; this being so great and undoubted a Right belonging to the Parliament of *England*.

‘ And, upon these Reasons, they adhere to their former *Vote*, and desire your Lordships Concurrence herein.

Next Sir *John Evelyn* said, ‘ Your Lordships have heard the Sense of the House of Commons, how much they conceive themselves concerned in Honour to have this *Vote* to be passed; therefore they hope your Lordships will never depart from bearing

bearing your Part in such a Demand. They will be very unwilling to be necessitated to this without your Lordships; yet if your Lordships shall not think fit to agree with them, they shall never fail to do their Part in making this Demand, it being a Thing wherein the Parliament and Kingdom are so much interested.

An. 22. Car. I.
1646.
May.

The Report being made, the Lords took into Consideration whether these Words, now reported, were the Words spoken by Sir *John Evelyn* at this Conference. The Words being read, the Question was put, Whether these Words, or Words to this Effect, were spoken at the Conference by Sir *John Evelyn*? it was generally agreed to.

Next the Question was put, Whether, by these Words, it doth not appear to this House, that the Sense of these Words are, That in case their Lordships do not agree with the House of Commons, that they will do it without them? It was resolved in the Affirmative, and ordered, That this Report shall be taken into further Consideration the next Morning. Accordingly,

May 14. The House of Lords went again upon the Business; and the Question being put, Whether the Words, spoken by Sir *John Evelyn*, were against the Course and Proceedings of Parliament, and that this House doth expect Reparation for the same? It was resolved in the Affirmative; and another Conference was ordered to be held with the Commons, about some Words which fell from a Member of theirs at the last.

The Lords demand Satisfaction for some Words of Sir *John Evelyn* therein.

May 15. We meet with another *Remonstrance* from the Scots Commissioners, about stopping of their Messenger by Capt. *Massey*, in which is a much clearer Representation of the State of the Case than in the former.

For

Upon the Report of this Matter in the House of Commons, Sir *John Evelyn* acknowledged that he spoke the Words in Question.

An. 22. Car. I. *For the Right Hon. the SPEAKER of the House of*
1646. *PEERS pro Tempore.*

May.

My Lord,

A further Re-
monstrance from
the Scots Com-
missioners, con-
cerning the stop-
ping of their
Messenger.

WE did formerly acquaint the Honourable
Houses with a Report that was come to
our Ears, concerning the intercepting, at the
Guards of the City, a Gentleman employed from
the Committee of Estates of the Kingdom of
Scotland hither, and sent back again by us with
Letters to their Lordships, and the Committee
of Estates at the Army; but now, from more
certain Knowledge, we do further represent,
That on *Thursday* last, the 7th of this Instant
May, before eight at Night, after he had shew'd
a Pass under our Hands, and offered to shew a-
nother Pass, sign'd by the Right Honourable the
Committee of the Estates of the Kingdom of
Scotland, he was stopped by one Captain *Massey*
at *Shoreditch*; and notwithstanding he told his
Letters were from us, Captain *Massey* caused
him to be searched; giving this Reason for it,
That he could not be answerable if he did not
see them; and when he had looked upon the
Letters, he said again he could not be answer-
able if he did not carry the Gentleman and Let-
ters back again; which he did forthwith, and
brought him, as we are informed, to one Colonel
Wilson's House, and from thence to one Mr. *Est-*
wick's, where he retired himself for an Hour and
an half at least, and afterwards brought him to
the *Star* in *Fleet-street*, where he was kept in a
close Room all the rest of that Night, attended
by two Soldiers; the next Day he was brought
to *Westminster*, where he was kept from Eight
in the Morning till Seven at Night; and all the
Time he could not have so much Favour as to
send a Porter, or write two Lines, to *Worcester-*
House, or to any of his Acquaintance, tho' he
several Times earnestly requested it.
Most of our Letters have been returned unto
us undisclosed; but one Letter, directed to the
Lord

Lord *Balcarras*, a Member of the Right Honourable the Committee of Estates, was opened and is still detained; and, which is most strange, and very unexpected to us, the Letter directed on the Back *To the Right Honourable the Committee of Estates*, was sent to us open; and the therein inclosed, which was a Copy of our Letter to the Committee of Estates in the Army, and to which our Letter did particularly refer, is taken away and still kept from us.

An. 22. Car. I.
1646.

May.

When we reflect upon the whole Story of this Business, we stand amazed to consider of it, and what the Thoughts of Heart may be upon it in the Kingdom of *Scotland*; we being solemnly invited by the Houses of Parliament to come and reside here, and so many Promises made to us by their Commissioners of fair and kind Entertainment; (whereof we acknowledge, till of late, we have had good Experience) the Kingdom of *Scotland* having suffered so much at home and abroad, by Sea and Land, to the vast Expence of much Blood and Treasure, in this Cause; there being so many solemn Foundations and mutual Confidence between the Kingdoms; and we ourselves having, to the utmost of our Power, since the first Hour of our coming hither to this Day, endeavoured a fair Correspondency and right Understanding

This Letter was dated from *Worcester-House*, May 7, 1646, and signed by *John Chiefley*, Secretary to the *Scots* Commissioners. The next Day it was read in the House of Commons; who, after the reading thereof, ordered a Message to be sent to those Commissioners, to desire them to secure the Person of the said *John Chiefley*, to answer such Things as should be objected against him of high Concernment. Amongst these Letters (some of which were laid aside without reading, and others read) was a Paper without Superscription or Subscription, and great Part of it in Characters or Cyphers. And a Motion being made for the Decyphering thereof, it was carried in the Negative, by 151 against 118. Mr. *Holles* and Sir *Walter Erle* Tellers for the former; Sir *Arthur Heslerig* and Sir *John Evelyn* of *Wiltz*, for the latter. Mr. *Holles*, in his *Memoirs*, speaking of this Affair of seizing and opening the *Scots* Commissioners Letters, calls it 'The highest Affront, the greatest Violation of the Public Faith, and the greatest Scandal to all Princes, States, and even Societies of Men, &c.'

An. 22. Car. 1.

1646.

May.

derstanding between the Nations, whereof the Honourable Houses has given us ample Testimony; we are exceedingly surprized, when we compare this with the former intercepting and opening of our Letters, (often complained of at the Committee of both Kingdoms, and not redressed) and other Affronts done unto us, which we forbear to mention at this Time.

We need not tell the Honourable Houses how inviolable the Privileges and Freedom of Legates and Commissioners, their Attendants and Messengers, are kept by all Nations, and what sad Consequences have followed upon the Violation of those Laws; nor shall we take upon us to declare, but leave it to the Honourable Houses to consider, how far this doth entrench upon the Law of Nations, and upon our own Security and Safety; how prejudicial it is to the Ends for which we were called hither, and how far it doth disable us from doing any Service here to the Kingdom of *Scotland*, whom we represent, if our Intelligences and Advices to them, or their Instructions and Directions to us, shall be discovered and divulged to the World.

And we do the more insist upon this Business, in that another Messenger, dispatched by us since, upon the eighth of this Instant, having a Pass under our Hands, was searched by some of Col. *Poyntz* and Col. *Rossiter's* Forces for Letters: This, with other Grounds we have, gives us Cause to suspect that, our Residence here being so well known to all the Officers about *London*, and our Passes never questioned hitherto by any of them, Capt. *Massey*, alone, durst never have undertaken this Business to break open our Letters, directed on the Back *To the Committee of Estates in Scotland*, without the Direction, Assistance, and Instigation of others.

We do therefore, in the Name of the Kingdom of *Scotland*, desire that a strict Enquiry may be had therein; and not only Capt. *Massey*, but Col. *Wilson*, Mr. *Estwick*, and all others who can

‘ can be discovered to have had any Hand, or to be
 ‘ anywise accessary to the intercepting and break-
 ‘ ing up of our Letters, may be examined; that
 ‘ Reparation may be made unto us, and the Fact
 ‘ disclaimed and discovered; that we may receive
 ‘ the Assurance of the safe Transport and Convey-
 ‘ ance of our Letters for the future, and the Pas-
 ‘ sage of our Messengers to the Scots Army and the
 ‘ Kingdom of Scotland, and back again, by Sea or
 ‘ Land, without Interruption; that all our Jealou-
 ‘ sies and Fears of that Kind may be removed, and
 ‘ that a right Understanding and fair Correspon-
 ‘ dency may be still preserved between these King-
 ‘ doms: All which we do earnestly desire and ex-
 ‘ pect from the Wisdom of the Honourable Houses,
 ‘ and remain

An. 22. Car. I.
 1646.
 May.

Your affectionate Friends and Servants,

L O U D O N.

*Worcester-House,
 May 13, 1646.*

C. ERSKIN. A. JOHNSTON.
 H. KENNEDY. R. BARCLAY.

After reading this *Remonstrance*, the Lords or-
 dered that Col. *Wilson*, Capt. *Massey*, and *Stephen*
Estwick, should have Notice to attend their House
 the next Morning. Accordingly,

May 16. On a further Examination into this Whereupon Cap-
 tain *Massey* was committed, by the Lords, tain *Massey* is
 Prisoner to the *Fleet*, during Pleasure, for opening committed to the
 the Letters of the Scots Commissioners, and not Fleet by the
 Lords; observing his Orders and Directions. The Lords
 also appointed a Committee of their House to in-
 quire yet further into this Business; but Capt. *Mas-*
sey was, some few Days after, released by Order of But discharged
 the Commons without Payment of Fees. — Lord by the Commons,
Holles writes^b, The Reason they alledged for dis-
 charging the Captain was, ‘ That the Lords had
 broke their Privileges in imprisoning one who was
 under Examination of their Committee (for they
 had also referred the Business to a Committee): But,

VOL. XIV.

C c

in

^b *Memoirs* p. 56.

An. 22. Car. I. in Truth, not to do the Kingdom of *Scotland* any Right in punishing the Offender, but to affront it the more in protecting him.—His Lordship's Assertion will be fully justified in the Sequel.

1646.
May.

May 19. The Lords, at a Conference between the two Houses, having charged Sir *John Evelyn* with the Words related before, the Commons, at another Conference held this Day, urged the following *Reasons* in Vindication of their Member; whom they had voted guiltless of saying or doing any thing but his Duty in this Affair.

The latter's Reasons in Justification of Sir *John Evelyn*.

In Answer to their Lordships, the House of Commons doth admit, 1. ' That Sir *John Evelyn*, a Member of their House, did speak those Words, or Words to that Effect, in Discharge of his Duty, and of what he had in Command from this House to deliver unto their Lordships at a Conference on *Wednesday* last: But do not admit that the Subject of that Conference were those two *Votes* recited by their Lordships at the Conference on *Saturday* last, but only the former of those two *Votes*; wherein the House of Commons desired their Lordships Concurrence, That the Commissioners of the Parliament of *Scotland*, and the General of the *Scots* Army, should be desired that the Person of the King might be disposed of to such a Place within this Kingdom as the two Houses of Parliament should appoint: For which, at the same Conference, they gave divers Reasons to their Lordships.

2. ' That the House of Commons is of Opinion, that the Words spoken by Sir *John Evelyn* do not import that Sense which their Lordships conceive they do; and must needs account it a great Unhappiness that at this Time, when as (according to the Expressions and Expectations of our common Enemies) nothing in Appearance can destroy us but Differences amongst ourselves, that such Exceptions should be taken, and Reparations expected for Words, and those of a doubtful Interpretation, which their Lordships only

only conceive to import a Sense which, admitting they did import, they are not contrary to the Course and Proceedings of Parliament; and the like have been used several Times this Parliament, without any Exceptions taken thereunto by their Lordships: And the House of Commons hope that their Lordships did not intend by their Inference upon those Words, even in the Sense they took the same, so to bind up this House to one Way of proceeding, as that, in no Case whatsoever, tho' never so extraordinary, tho' never so much importing the Honour and Interest of the Kingdom, the Commons of *England* might not do their Duty for the Good and Safety of the Kingdom in such a Way as they may, if they cannot do it in such a Way as they would and most desire.

3. That which the House of Commons have desired your Lordships Concurrence in at this Time, and which they have seconded with many Reasons, whereunto they have received no Answer, is, in their Opinion, so undoubted a Right of the Parliament and Kingdom of *England*, and so highly concerneth them in Honour and Interest, and so much conduceth to the speedy settling of a happy and well-grounded Peace, so much desired by all, that they cannot think but that their Lordships, upon the Consideration of their Reasons, will join with them in this Demand; and that they will not suffer any Business by the bye, to divert or delay their Resolutions therein; whereby the Practices and Expectations of our Enemies will be disappointed, who might justly hope that there would be no Concurrence between the Houses in any thing, if it should not be in this, of so undoubted Right, and of so great Importance to the Kingdom, that the Person of the King being in the Hands and Disposing of an Army of another Nation within this Kingdom, and in the Pay thereof, should be disposed of to such a Place within this Kingdom as

An. 22. Car. I. 1646. both Houses of the Parliament of *England* shall appoint.

May.

With these *Reasons*, we suppose, the Lords were obliged to rest satisfied, for we meet with no more of this Business in the *Journals* of either House.

About this Time it was that the *Scots* Army marched from *Newark* homewards, and carried the King with them; and they had brought his Majesty as far as *Newcastle*, before any public Intelligence was given to the Parliament where he was conveyed. However,

May 21. The Lords received a *Letter* from the Earl of *Lauderdale*, one of the *Scots* Commissioners, to this Effect:

The Scots Commissioners Vindication of their Proceedings, upon the King's Coming into their Army.

That, for the preventing of all false Informations, they thought fit to acquaint the Honourable Houses with a *Proclamation* published by his Excellency the Earl of *Leven* at *Durham*: That his Majesty came into *Newcastle* without any Solemnity; and that none of the *Scots* Nation are admitted to come into that Garrison, without a Warrant from the Committee of Estates of that Kingdom; nor none of this Nation, unless they have a Warrant from both Houses of Parliament, their Commissioners, or the Magistrates of *Newcastle*: That the Committee of Estates of the Kingdom of *Scotland*, residing at *Edinburgh*, upon Notice of his Majesty's Coming to their Army, forthwith emitted a *Proclamation*, inhibiting all his Subjects, of whatsoever Quality or Degree, to go out of the Kingdom without their Warrant, under the Pain of being pursued as Public Enemies, as will appear by a Copy here inclosed. They had also sent some of their Number to assist the Committee of their Army with Directions, that they proceed with the joint Advice and Consent of the Commissioners of both Houses, according to the *Covenant* and *Treaty*. But that they now earnestly entreat his Majesty

to

‘to grant the joint Desires of both Kingdoms, An. 22. Car. I.
 ‘when they shall be presented unto him; and, in 1646.
 ‘the mean time, that he grant no Titles of Honour,
 ‘Pensions, or Places, to any of the Subjects of
 ‘Scotland; and, in every Thing else, to study a
 ‘fair Correspondency between the two Kingdoms.’
 Dated from *Worcester-House*, May 20, and
 sign’d *Lauderdale*.

Next follow Copies of all the *Proclamations*, &c.
 mentioned in the above *Letter*, which we shall
 omit, as not much to our Purpose.

May 25. A *Letter* was read in the House of
 Lords, which came from the King himself, dated
 the 18th of this Month from *Newcastle*^a, where
 he then was; the *Scots* having, by a quick March,
 conveyed him thither. From thence, therefore, his
 Majesty addressed himself to the Parliament in the
 following Manner:

CHARLES R. Newcastle, May 18, 1646.

HIS Majesty having understood from both his Houses of Parliament, That it was not safe for him to come to London (whither he had purposed to repair, if so he might, by their Advice, to do whatsoever may be best for the Good and Peace of both Kingdoms) untill he shall first give his Consent to such Propositions as were to be presented to him from them; and being certainly informed that the Armies were marching so fast up to Oxford, as made that no fit Place for treating, did resolve to withdraw himself hither, only to secure his own Person, and with no Intention to continue this War any longer, or to make any Division between his two Kingdoms; but to give such Contentment to both, [and so to preserve himself for the Good of both]

His Majesty's
 Letter to the
 Parliament of
 England,

C c 3

as

^a In *Reyden's* Edition of the King's Works, p. 595, this *Letter* is dated from *Southwell*, and the Passage in the *Roman Character* within Crotchets is omitted. Mr. *Rusbecq*, b, Vol. VI. p. 274, has fallen into the same Error.

An. 22. Car. 1.
1646.

May.

as, by the Blessing of God, he might see a happy and well-grounded Peace, thereby to bring Prosperity to these Kingdoms, answerable to the best Times of his Progenitors.

And since the settling of Religion ought to be the chiefest Care of all Councils, his Majesty most earnestly and heartily recommends to his two Houses of Parliament, all the Ways and Means possible for speedy finishing this pious and necessary Work; and particularly that they take the Advice of the Divines of both Kingdoms, assembled at Westminster.

Likewise concerning the Militia of England; for securing his People against all Pretensions of Danger, his Majesty is pleased to have it settled as was offered at the Treaty of Uxbridge; all the Persons being to be named for that Trust by the two Houses of the Parliament of England for the Space of seven Years; and, after the Expiration of that Term, that it be regulated as shall be agreed upon by his Majesty and his two Houses of Parliament.

And the like for the Kingdom of Scotland.

Concerning the Wars in Ireland; his Majesty will do whatsoever is possible for him to give full Satisfaction therein.

And if these be not satisfactory, his Majesty then desires that all such of the Propositions as are already agreed upon by both Kingdoms, may be speedily sent unto him; his Majesty being resolved to comply with his Parliament in every Thing that shall be for the Happiness of his Subjects, and for the removing of all unhappy Differences, which have produced so many sad Effects.

His Majesty having made these Offers, he will neither question the thankful Acceptation of them; nor doth he doubt but that his two Kingdoms will be careful to maintain him in his Honour, and in his just and lawful Rights; which is the only Way to to make a happy Composure of these unnatural Divisions: And likewise will think upon a solid Way of conserving the Peace between the two Kingdoms for Time to come; and will take a speedy Course for easing and quieting his afflicted People, by satisfying the

the Public Debts, by disbanding of all Armies, and whatsoever shall be judged conducive to that End; that so all Hinderances being removed, he may return to his Parliament with mutual Comfort.

An. 22. Car. I.
1646.
May,

P. S. His Majesty being desirous to shun the further Effusion of Blood, and to evidence his real Intentions to Peace, is willing that his Forces in and about Oxford be disbanded, and the Fortifications of the City dismantled, they receiving honourable Conditions; which being granted to the Town and Forces there, his Majesty will give the like Order to the rest of the Garrisons.

CHARLES R.

The following Letter, of the same Date of the former, from the King, directed to Sir Thomas Glemham, Governor of Oxford, was also read.

CHARLES R.

Trusty and Well-beloved, we greet you well,

BEING desirous to stop the further Effusion of Blood of our Subjects, and yet respecting the faithful Services of all that are in our City of Oxford, which have full faithfully served and hazarded their Lives for us, we have thought good to command you to quit that City, and to disband the Forces under your Command there, you receiving honourable Conditions for you and them.

And to Sir Thomas Glemham to surrender Oxford.

Given at Newcastle the 18th of May 1646.

Next was read the King's Letter to the Parliament of Scotland:

CHARLES R.

Right trusty and well-beloved Cousins and Counsellors, right trusty and right well-beloved Cousins, trusty and well-beloved Counsellors, and trusty and well-beloved, we greet you well.

AFTER so long and sad an Interruption of the happy Understanding betwixt us and our good Subjects of our Kingdom of Scotland (which hath

Another to the Parliament of Scotland.

exceedingly

AN. 22. CAR. 1.
1646.

May.

exceedingly afflicted us) and lest the sad Effects thereof may have alienated the Affections of many of that Kingdom from us; and preferring nothing to the Love of our Subjects on which our Safety and Greatness most depends, and without which we propose not to ourselves any Happiness, we have thought fit to labour to dispossess them of all Prejudices, rather by shewing them our present Resolutions, than by remembering them of our former Differences, having come hither with a full and absolute Intention to give all just Satisfaction to the joint Desires of both our Kingdoms; and with no Thought either to continue this unnatural War any longer, or to make a Division betwixt the Kingdoms, but to comply with our Parliaments and those entrusted by them in every Thing, for settling of Truth and Peace.

Your Commissioners have offered to us divers Papers in your Name, expressing your loyal Intentions towards us, for which we cannot but return you hearty Thanks, and shall study to apply ourselves totally to the Counsels and Advices of our Parliaments.

We have already sent a Message to the two Houses of our Parliament of England, and your Commissioners at London, which we hope will give Satisfaction.

We have likewise written to all such within our Kingdom of Scotland, as have any Commission from us, to lay down Arms, disband their Forces, and render their Garrisons; and have written to our Agents and Ministers abroad, for recalling all Commissions issued forth by our Authority to any at Sea, against any of our Subjects of either Kingdom; and have sent Letters to the Governor of our City of Oxford, to quit that Garrison upon honourable Conditions, and disband our Forces there; which being granted to him, we have resolved presently to give the like Order to all our other Garrisons and Forces within this Kingdom.

And that the Truth of these our Royal Intentions may be made known to all our good Subjects of Scotland, we desire a Proclamation may be printed and published, together with this Letter, at all convenient Places,

Places, hoping none will believe but that this is our voluntary and cordial Resolution, and proceeds from no other Grounds than our deep Sense of the bleeding Condition of our Kingdoms; and that our real Intentions are, with the Blessing of God and his favourable Assistance, to join with our Parliament in settling Religion here in Purity (after the Advice of the Divines of both Kingdoms assembled at Westminster) and our Subjects of both Kingdoms in Freedom and Safety.

An. 22. Car. I.
1646.

May.

So expecting your Counsels and Advices in every Thing wherein we shall be concerned, we bid you very heartily Farewell.

From Newcastle, May 19, 1646.

A Letter from the Scots Commissioners residing in London, along with some other Letters from their Commissioners in the North were also read^b.

For the Right Honourable the SPEAKER of the House of PEERS pro Tempore. To be communicated to both Houses of Parliament.

Several Letters from the Scots Commissioners in relation to their Army, and their Conduct towards the King.

Right Honourable,

May 25, 1646.

WE are desired, by the Committee of Estates of the Kingdom of Scotland residing with the Scots Army, to communicate to the Honourable Houses the Letters and Papers herewith presented; wherein it will appear how careful they have been in exhorting his Majesty to give Satisfaction to the joint Desires of both Kingdoms, without meddling in any Propositions of Peace. They have also renewed their Desires for Advice from hence, and do earnestly intreat that Commissioners may be sent from both Houses to join with them, and to be Witnesses of all their Actions; wherein they endeavour nothing more, than that they may be such as may give equal Satisfaction to both the Kingdoms.

We

^b Some of the following Papers are copied from the *Lords Journals*, and the rest are taken from a Pamphlet published by Order of the Scots Commissioners. (London, printed for Laurence Chapman, June 9, 1646.) None of them, excepting that relating to Mr Ashburnham's Escape, are in *Rushworth*.

An. 22. Car. I.
1646.

May.

‘ We are further desired to acquaint their Lordships with the Particulars of a *Letter* written by Colonel *Poyntz*; to Lieutenant-General *David Lesley*; wherein he doth require, That if he had any Forces about *Ripon*, he retire them to some other Place; and if he had appointed any more to come thither, that he recall his Orders; all which he advised him speedily to perform, as he would evidence to the World, that the Intention of the Coming of the *Scots Army* into this Kingdom was to pursue the common Enemy, and not to be troublesome, or incroach upon their Friends.

‘ To this Lieutenant-General *Lesley* returned a civil *Answer*, shewing him, That his Commands should be obeyed; and accordingly did forthwith withdraw his Forces from those Parts, being desirous, according to the Directions given unto him, to avoid all Occasions of Difference and Contest: Upon Consideration whereof, it is their earnest Desire, That as Directions are given by them to all the Officers of the *Scots Army*, so the Honourable Houses would be pleased to give Order to the Commanders of their Forces in those Parts to forbear all provoking Expressions, Speeches, or Actions, which may give just Cause of Offence.

‘ And for preventing all Disorders and Inconveniences, they do earnestly intreat, That Directions may be speedily sent to the Committee at *York*, to appoint them Quarters, that a considerable Supply of Money may be sent to them now, after so much Want and so long Suffering: Which Desires being so reasonable and so often renewed, we are persuaded the Honourable Houses will take them into their serious Consideration, and return a speedy and satisfactory *Answer*. We remain

Your Lordship's affectionate

Friends and humble Servants,

LAUDERDALE.

A. JOHNSTON.

CHARLES ERSKINE.

H. KENNEDY.

ROBERT BARCLAY.

In-

Inclosed in the foregoing Letter was a Paper, An. 22. Car. I.
intituled *The true State of the Proceedings of the*
Committee of the Estates of Scotland, residing with
their Army, concerning Mr. John Ashburnham, &c.
1646.
May.

May 25, 1646.

THE Committee of Estates with the Scots
Army having received a Vote of the Ho-
nourable House of Commons, inclosed in a Letter
from the Commissioners of both Houses, de-
manding the Persons of Mr. John Ashburnham,
and all others that came with the King into the
Scots Army before Newark, to be delivered up,
did seriously take into Deliberation how they
might return a satisfactory Answer to the Desire
of the House of Commons; wherein they found
themselves pressed with no small Difficulties aris-
ing from the Consideration of the Vote, which
did require Mr. John Ashburnham and others to
be delivered up as Delinquents, upon this Nar-
rative and Reason, *That they came into the Scots*
Army before Newark with his Majesty, there be-
ing no other Cause of Delinquency made known
unto the Committee of Estates; and no more
being exprest concerning Mr. John Ashburn-
ham, than other Persons who were Guides to his
Majesty in his Way thither.

It appears unto them that they were no more
obliged to deliver up Mr. John Ashburnham, his
Majesty's ordinary Servant, and others, only for
their attending the King to the Scots Army, than
the Parliament of England should have been
obliged, in the like Case, to deliver up any Sub-
ject of Scotland for attending his Majesty if he
had gone into Sir Thomas Fairfax's Army, or
come to London. And it did very much weigh
with their Lordships, that the delivering up of
these Persons, meerly for their coming with his
Majesty into the Scots Army, would import, *That*
they did acknowledge it to be unlawful for them-
selves to receive his Majesty, coming unexpectedly,
without, any Invitation into their Army, since he
could

An. 22. Car. 1.

1646.

May.

could not come without one Servant or other to attend him: But if Mr. *John Ashburnham*, or any other that came with his Majesty, had been declared by the Parliament to be Incendiaries, Malignants, or evil Instruments, by hindering the Reformation of Religion, dividing the King from his People, or one of the Kingdoms from another, or making any Factions or Parties among the People, contrary to the *Solemn League and Covenant*; then it was their Resolution, and they were ready therein to give Satisfaction to the Honourable Houses.

Upon these and other Grounds they did desire to confer with the Commissioners of both Houses, to the end they might either give or receive Satisfaction; and accordingly wrote unto them for this Purpose, leaving unto them to appoint the Place of meeting: It was also considered what should be done in the Interim, till, upon Conference and mutual Consultation with the Commissioners of Parliament, the Matter should be determined: And though for the Coming of these Persons with the King to the *Scots Army*, (no other Cause of Offence being known, or Crime objected against them) the Committee of Estates could not, in Honour and Justice, nor without Reflection upon themselves for receiving his Majesty, put a Restraint upon them; yet lest the Business should be divulged, and upon Apprehension of the Issue thereof any of them should make an Escape, the Committee thought fit, and did accordingly injoin Secrecy in the whole Matter.

While they were expecting an *Answer* from the Commissioners of both Houses, they received Advertisement that 5000 Horse and Dragoons were upon their March *Northward* towards them, no Enemy being in those Parts; and that two Messengers sent from us to them were intercepted and searched: Whereupon they judged it necessary, and did write to the Commissioners of Parliament, to delay the intended Meeting till the Army should come to a more convenient Place;

Place; being unwilling that the Forces of the two Kingdoms should engage upon a Mistake; and so soon as they came to *Boroughbridge*, they renewed their Desires to the Commissioners of Parliament for a Conference about this Business; to which the Commissioners, by reason of their other Occasions, did not agree.

An. 22. Car. I.
1646.

May.

In all which the Committee of Estates conceive that they have used their best Endeavours to give Satisfaction to the Desire of the Honourable House of Commons; especially seeing, upon the very first Notice they had of Mr. *Ashburnham's* and Mr. *Hudson's* Endeavour to escape, they sent forth, on all Hands, Orders to apprehend them; and such Diligence was used as Mr. *Hudson* was apprehended, and is now in *Newcastle*, in the Custody of the Deputy-Mayor: And as a worthy and noble Lord, the Lord *Balcarras*, lately come hither, hath, by Order of the Committee, made known unto us, his Lordship and all the rest of that Honourable Committee can declare upon their Honour, That, directly nor indirectly, they were no ways accessary to Mr. *Ashburnham's* Escape, nor had any Knowledge thereof, whatsoever may be suggested to the contrary. All which being considered, together with the Letters and Papers to be presented this Day to the House from the Committee of both Kingdoms, we are confident that Honourable House will rest satisfied with their Carriage in this Particular, and with their other Proceedings.

Another Letter was read, addressed to the Speaker of the House of Peers, from the Scots Commissioners at *Newcastle*; in which were inclosed Copies of several Papers delivered by them to the King.

Newcastle, May 19, 1646.
Right Honourable,

BY our last to you, of the 6th of May, we gave your Lordships an Account of the Manner of his Majesty's Coming into our Army, and

An. 22. Cap. 1.

1646.

May.

and did crave your Advice what was to be done for the Public Good and mutual Happiness of both Kingdoms; and though as yet we have had no Answer returned, we esteem it incumbent upon us, in pursuance of the Ends contained in the *Solemn League and Covenant*, which have been, and ever shall be, the Scope of our Intentions, to give your Lordships a further Account of what is passed betwixt his Majesty and us, that you may know the true Posture of Affairs here.

We did acquaint the Committee of Estates at *Edinburgh* with the King's unexpected Coming to us, who did send up some of their Members to assist us in our Desires to his Majesty. All our Labours and Endeavours have been, that he would have been pleased to send such a satisfactory Message to the Parliament of *England*, and our Commissioners at *London*, as might be a happy Entrance to the settling of Religion and a well-grounded *Peace*; and, for this Effect, those who were intrusted by the Committee of Estates, by our Advice, gave in several *Papers* to his Majesty, representing the Resolutions of the Kingdom of *Scotland*; whereof we have sent to our Commissioners just Copies, who will shew the same to your Lordships, and give you a further Account of all that is passed.

We earnestly desire that the Parliament of *England* may be pleased to send some Commissioners from them to be Witnesses of our Actions, and to give us Concurrence and Assistance of what may fall in our Way here; and, in the mean Time, that the Parliament will cause to make timely Provisions for our Army, from *London*, and give Orders for their Quarters in such Places as may be most convenient for their Army.

Signed by the Warrant and at the Command of the Commissioners for the Parliament of *Scotland*.

LOTHIAN.

The

The Papers referred to in the foregoing Letter

An. 22. Car. I.

Newcastle, May 13, 1646.

1646.

May it please your Majesty,

May.

THE Committee of Estates of your Majesty's native Kingdom of Scotland, hearing of your Repair to the Army before Newark, have commanded us to attend your Majesty here at Newcastle, and represent to your Majesty the constant Affection that our Kingdom ever had, and yet doth bear, unto your Majesty, notwithstanding that their Proceedings have been misrepresented to you, and misunderstood by you. Tho' they never had any Thoughts but such as might tend to the Advancement of the true Protestant Religion, the Preserving of your Majesty's just Power and Greatness, and the Freedom and Liberty of your Subjects, with a happy Union and Understanding between the Kingdoms under your Majesty's Government, as is expressed in our Solemn League and Covenant.

Remonstrances
presented by
them to his Ma-
jesty, at Newcastle

And now seeing your Majesty has thought fit to come unto our Forces here in England, we hope you come with Intentions and full Resolutions to give all full Satisfaction to the joint Desires of both your Kingdoms, for settling of Truth and Peace; and if your Majesty comes with these real Intentions, you may be confident that, next to the Glory of God, and the Preservation of our Oaths in the Covenant and Treaties with our Brethren of England, from which, with God's Assistance, we will not swerve, nothing shall be more dear to them than to preserve your Majesty and your Posterity in their just Power and Greatness.

CALLENDER. BALMERINO.

LANERK. A. HEPBURN.

Newcastle, May 14, 1646.

May it please your Majesty,

Whereas your Majesty, in the Close of your Discourse, demanded that only those Servants, whom your Majesty should name, might

An. 22. Car. 1.
1646.

May.

‘ might have Liberty to attend your Majesty, and
 ‘ that you would be served by none others; what
 ‘ we did in appointing Servants to wait on your
 ‘ Majesty, was done out of our earnest Desire to
 ‘ have your Majesty well served, in Absence of your
 ‘ Majesty’s other faithful and unsuspected Servants;
 ‘ and shall be very willing that your Majesty should
 ‘ name any to wait upon you, who have not been
 ‘ in actual Service against your Majesty’s King-
 ‘ doms of *Scotland* and *England*, or have appeared
 ‘ as Enemies to either of them.’

Newcastle, May 15, 1646.

May it please your Majesty,

‘ **H**AVING, at our first Audience, represented
 ‘ our Hopes and Confidence that your Ma-
 ‘ jesty came into the Army with real Intention and
 ‘ full Resolution to settle Truth and Peace in your
 ‘ Majesty’s Kingdoms, we shall again renew our
 ‘ Desires that your Majesty would be pleased spee-
 ‘ dily to go about the readiest Ways and Means to
 ‘ effectuate the same, as well in *England* as in
 ‘ *Scotland*, which your Subjects do expect from
 ‘ you, and exceedingly long for; and if your Ma-
 ‘ jesty shall delay the present performing thereof,
 ‘ we will be necessitated, for our own Exonera-
 ‘ tion, to acquaint the Committee of both King-
 ‘ doms at *London*, that a Course may be taken, by
 ‘ a joint Advice of both Kingdoms, for attaining
 ‘ the just Ends expressed in the *Solemn League and*
 ‘ *Covenant*.

‘ We are further commanded to present to your
 ‘ Majesty, how useful we conceive it would be for
 ‘ your Service, that your Majesty would be pleased
 ‘ to restrain yourself from conferring Titles of Ho-
 ‘ nour, bestowing Places about your Person, grant-
 ‘ ing Pensions, or any Manner of Gifts whatso-
 ‘ ever, to any of your Subjects of *Scotland*, for
 ‘ some Time.’

The Lords, after reading all the foregoing *Pa-
 pers*, ordered that they should be communicated to
 the

the House of Commons at a Conference; and one was desired to be held presently. In the mean Time their Lordships took into Consideration what was to be said to the Commons at this Conference, in relation to the King's last *Message* and the other Affairs; and, at last, agreed, That the Sense of the House, which was to be delivered at the next Conference, was this, ' That the Lords conceive these *Letters* of the King to be of higher Concernment to this Kingdom, and to bring greater Satisfaction, than any Offers or Overtures of *Peace* formerly made by his Majesty, because it discovers a greater Change in his Majesty's Thoughts and Opinions of the Proceedings of his Parliaments of both Kingdoms; which lays a sure Foundation for our future Hopes of recovering a happy *Peace* to these three Kingdoms, which have long lain under this bloody and unnatural War. Their Lordships know that the assured Enjoyment of this *Peace* must be the King's acting according to his own Profession, which cannot be till the *Propositions* be sent to him from both Kingdoms; therefore desire not to omit so fair an Opportunity, but that they may, with all possible Speed, perfect the *Propositions* intended to be sent to the King by the two Kingdoms of *England* and *Scotland*.

' That the Members of both Houses, that are of the Committee of both Kingdoms, do communicate the King's *Letters* to the *Scots* Commissioners, to let them know the good Resentment that the Houses have of the Care and Expressions the Estates of the Kingdom of *Scotland* have made, of pursuing the timeous and good Understanding of the two Kingdoms, according to the *League* and *Covenant*; and to assure them again, that the two Houses will take Care to preserve the same according to the *Covenant* and *Treaty*; to desire that there may some Course be thought of, how the King's Commands to Sir *Thomas Glemham*, concerning the Surrender of *Oxford*, may be sent to Sir *Thomas Fairfax*, and by him to Sir *Thomas Glemham*; and to let them know that their Lord-

An. 22. Car. I.
1646.
May.

All which are ordered to be communicated to the Commons.

An. 22. Car. 1.
1646.

May.

ships think fit, that a Committee of nine Lords be appointed to meet a proportionable Number of the House of Commons, to consider of honourable Conditions to be offered to the City of *Oxford*, (for the sparing of the shedding of innocent Blood) and to be sent to Sir *Thomas Glemham* for the Surrender thereof, and to report the same to this House^a.

‘That their Lordships think it fit that a *Letter* be written by the Houses to the Estates of *Scotland*, to express how well the Houses take their declaring their Affections to the Union of both Kingdoms, and to desire their Concurrence herein; and that it be referred to the Lords and Commons, that are of the Committee of both Kingdoms, to prepare a *Letter*, and offer the same to both Houses.’

May 26. This Day a *Remonstrance* and *Petition* from the City of *London* was presented to the Lords by Alderman *Foot*, a famous Orator of the City’s at that Time, and who had often appeared before them on the like Occasion. He was accompanied now by divers other Aldermen, and many Common Council Men; and since this *Remonstrance* is an Abstract of the full History of these Times, as to Religion and Politics, and is not printed in *Rushworth*, we shall insert it, without making any further Apology for the Length of it.

To the Right Honourable the LORDS assembled in the High Court of Parliament,

The HUMBLE REMONSTRANCE and PETITION of the Lord Mayor, Aldermen, and Commons, of the City of London, in Common Council assembled.

A Petition from the City of London to the Lords for suppressing the Independents, for a good Correspondence with the Scots, &c.

OUR Duty, in the first Place, doth lead us to begin all our Addresses, as we most heartily and humbly do these, with all due and humble

^a The Commons deferred the Consideration of this Proposal for some Days, and on the 29th of this Month refused their Concurrence; on a Division, 145 against 103. The Tellers for concurring with the Lords, Sir *John Holland* and Sir *William Lewis*; against it, Sir *John Evelyn* and Sir *Arthur Heslrig*.

‘ humble Acknowledgment of the great Labours An. 22. Car. I.
 ‘ and Endeavours which your Lordships have, 1646.
 ‘ these many Years, employed in Reformation
 ‘ of the Church and Common-Wealth, and in the
 ‘ Preservation of both, with the humble Tender of
 ‘ our constant Devotion to serve the Parliament,
 ‘ according to our *Covenant* made before Almighty
 ‘ God.

May.

‘ In the next Place we do most humbly crave
 ‘ Pardon, altho’ we do presume again to return unto
 ‘ your Lordships; and humbly, yet plainly, lay open
 ‘ the Sorrows and Fears of our Hearts, even in this
 ‘ Season when God hath blessed your Armies with
 ‘ the greatest Successes, and that Man might per-
 ‘ suade himself that the War is almost at an End :

‘ For, first, when we remember that it hath
 ‘ been long since declared to be far from any Pur-
 ‘ pose or Desire to let loose the Golden Reins of
 ‘ Discipline and Government in the Church, or to
 ‘ leave private Persons or particular Congregations
 ‘ to take up what Form of Divine Service they
 ‘ please; when we look upon what both Houses
 ‘ have resolved against *Brownism* and *Anabaptism*,
 ‘ properly so called; when we meditate upon our
 ‘ *Protestation* and *Covenant*; and, lastly, when we
 ‘ peruse the *Directory*, and other *Ordinances* for
 ‘ *Presbyterial* Government; and yet find private
 ‘ and separate Congregations daily erected in divers
 ‘ Parts of the City and elsewhere, and commonly
 ‘ frequented; and *Anabaptism*, *Brownism*, and
 ‘ almost all Manner of Schisms, Heresies, and
 ‘ Blasphemies boldly vented and maintained, by
 ‘ such as, to the Point of Church-Government,
 ‘ profess themselves to be *Independent*, we cannot
 ‘ but be astonished at the Swarms of Sectaries
 ‘ which discover themselves every where; who
 ‘ if, by their Endeavours, they should get into
 ‘ Places of Profit and Trust in Martial and Civil
 ‘ Affairs, it might tend much to the Disturbance
 ‘ of the Public Peace, both of the Church and
 ‘ Common-Wealth.

Ann. 22. Car. I.

1646.

May.

‘ We also cannot but call to Mind what Vows
 ‘ we have made to God in the same *Covenant*, as well
 ‘ as our former *Protestations* to preserve the Rights
 ‘ and Privileges of the Parliament, and the Liber-
 ‘ ties of the Kingdoms, and to preserve and defend
 ‘ the King’s Majesty’s Person and Authority in
 ‘ the Preservation and Defence of the true Reli-
 ‘ gion and Liberties of the Kingdoms; that the
 ‘ World may bear Witness with our Consciences
 ‘ of our Loyalty, and that we have no Thoughts
 ‘ or Intentions to diminish his Majesty’s just Power
 ‘ and Greatness; and do rest in the Assurance we
 ‘ have received in the many former *Declarations* of
 ‘ both Houses concerning their Intentions towards
 ‘ his Majesty, his Royal Posterity, and the Peace of
 ‘ this Kingdom; which we doubt not but your
 ‘ Lordships will pursue with all speedy Dispatch of
 ‘ *Propositions* to his Majesty, now whilst God doth
 ‘ so mercifully and miraculously go along with our
 ‘ Armies in all the Parts of the Kingdom.

‘ We may not, in the next Place, forget our
 ‘ Brethren of *Scotland*; how, first, they were in-
 ‘ vited to engage with this Kingdom in God’s
 ‘ Cause, when yet they were at Peace at home;
 ‘ in what *Covenant* this Nation is mutually linked
 ‘ with them; at what Time, in relation both to the
 ‘ weak Condition of our Forces then, and the Sea-
 ‘ son of the Year, they adventured upon an Ene-
 ‘ my warmly lodged, and well armed and prepa-
 ‘ red; what they have since suffered for this Cause
 ‘ in their own Kingdom; how successful ever
 ‘ since God hath made our Forces in suppressing
 ‘ the Common Enemies of both Nations; and
 ‘ what present Hopes we have of a well settled
 ‘ Peace while we continue in this mutual Amity;
 ‘ and then cannot but lament the many Jealousies
 ‘ which the Enemies of our Peace, Union, and
 ‘ good Government do now strive to beget betwixt
 ‘ both Nations; and we tremble at the sad Effects
 ‘ thereof, if not timely prevented by the Wisdom
 ‘ of the Parliaments of both Kingdoms.

‘ We

An. 22. Car. I.
1646.

May.

' We cannot also omit humbly to represent unto
' your Lordships Consideration, how many Citi-
' zens have already suffered; and how many more
' will be undone, if your Lordships shall still make
' use of that antient Privilege to protect yourselves,
' the Assistants of this Honourable House, and the
' Servants of both, and others, from being pro-
' ceeded against in any Course of Law for Debt;
' which now, because this Parliament hath already
' sat so long, and is likely, by reason of the
' Unsettledness of Affairs, to sit much longer,
' would especially require some Expedient for Re-
' lief of so many as, otherwise, must daily suffer
' under this Privilege.

' And now that the Kingdom is almost reduced,
' by which Means the Revenues of the Kingdom
' will be unburthened, and the Customs and Ex-
' cise increase, and the Public Charge of the King-
' dom decrease; now that Delinquents do daily
' come in and compound; and now that the Enemy
' have but few Holds left, we hope that the great and
' extraordinary Taxes and Burthens on this City,
' and their Trade, shall be, for the future, abated;
' that the Debts owing to the City and Citizens
' of London, either by particular Assurances of Par-
' liament, or upon the Public Faith of the King-
' dom, be taken Care for and discharged, as well
' as those assigned upon the Excise; and may not
' be diverted from the Uses appointed by former
' Acts and Ordinances.

' And we humbly crave Leave to present, to the
' Consideration of this Honourable House, the
' Committee of *Haberdasher's Hall*, as being one
' of the greatest Grievances of this City; and
' which, so long as it is continued, doth hinder
' the Concourse of People thereunto, and tendeth
' much to the Destruction of the Trade and Inha-
' bitants thereof:

' And now also we doubt not but God will give
' the Parliament some better Means and Oppor-
' tunities of Relief of our bleeding Brethren in Ire-

422 *The Parliamentary HISTORY*An. 22. Car. 1.
1646.

May.

land, and the suppressing of those horrid Rebels,
and reducing of that Kingdom; wherein, besides
the public and common Interest, we are particu-
larly concerned.

Lastly, We should have much to say for this
City, if we could imagine that its Fidelity, and
constant Services and Devotion to the Parlia-
ment, could either be questioned or forgotten;
that little we shall express on the Part of the
City is, not to repeat how zealous we have been
in the Cause of God and this Parliament; how
we have spilt our Blood, and spent and laid out
ourselves and our Estates in Maintenance there-
of; how many public Acknowledgments we have
by us of the favourable Acceptances of them, and
Promises to leave Testimonies thereof to all fu-
ture Ages; but only to beseech your Lordships
to consider how much our Hearts may justly be
dejected, now that God hath followed your En-
deavours and our Prayers with so many Successes,
and brought the War to a probable Period, as to
the Sense of Man; that the Enemies of our Peace
should strive now to sow Jealousies between the
Parliament and this City, as hath been too evi-
dent of late; and, particularly, should so far pre-
vail, as to be able to render the chief Magistrate
of this City, the Lord Mayor, suspected; unto
whom we cannot but give this just Testimony,
that he, in his Place, hath faithfully behaved
himself, and carefully discharged his Office.

We could add much more of the daily Invec-
tives against us from the Pulpit, and other Places,
where the Boutefeus of these Sectaries are admit-
ted; the scurrilous and seditious Pamphlets daily
broached in and against the City; and the great
Contempt of, and Discouragement to, the Mi-
nisters of the Gospel, who adhere to the *Presby-*
terial Government: But we shall conclude with
this brief and humble Representation of our Peti-
tions and Desires to your Lordships, in the Name
of the whole City:

1. 'That

b Alderman Adams,

1. ' That some speedy and strict Course may be taken for the suppressing all private and separate Congregations. An. 22. Car. I.
1646.

2. ' That all Anabaptists, Brownists, Schismatics, Hereticks, Blasphemers, and all such Sectaries as conform not to the public Discipline established, or to be established, by Parliament, may be fully declared against; and some effectual Course settled for proceeding against such Persons. May.

3. ' That as we are all Subjects of one Kingdom, so all may be equally required to yield Obedience unto the Government set forth, or to be set forth, by the Parliament.

4. ' That no Person disaffected to the *Presbyterial* Government, set forth, or to be set forth, by Parliament, may be employed in any Place of public Trust.

5. ' That your Lordships would please to hasten *Propositions* to his Majesty for settling a safe and well-grounded *Peace* amongst us, after so long and unnatural a War.

6. ' That your Lordships, according to the *Covenant* and *Treaties*, will please to study all Means to preserve the Union betwixt the two Nations of *England* and *Scotland*, and to remove all Jealousies which may endanger our mutual Agreement.

7. ' That your Lordships would please to consider of some Means, whereby the Privileges which the Members of this Honourable House and their Assistants, and the Servants of both, and others, enjoy, by being protected and exempted from being proceeded against for their Debts, may be so qualified, as that the Subject may be able to recover his own in some due Time.

8. ' That all public Revenues and Receipts may be employed for public Uses, that so the Taxes of the City may be abated.

9. ' That the Estates and Compositions of Delinquents may, according to the Engagements
' by

An. 22. Car. 1.
1646.

May.

‘ by *Ordinance* of Parliament, be applied to discharge the great Sums owing to this City and Citizens.

10. ‘ That the *Plymouth* Duty may be taken off the Trade, especially now that the *West* is reduced.

11. ‘ That the Committee at *Haberdashers-Hall* may be presently dissolved, or at least so limited and regulated, as that the City may have no Cause of Complaint.

12. ‘ That the reducing the Kingdom of *Ireland* may be taken into Consideration, before the good Party there be too far wasted and discouraged.

13. ‘ That the Lord Mayor of this City may be fully vindicated.

14. And *lastly*, and above all, That your Lordships will please not to look upon any Expressions of this our *Remonstrance* and *Petition*, as charging any thing upon your Lordships, or as intended to intrench upon any Privilege of this Honourable House; but favourably to accept thereof, and so to interpret the same as, from a single and humble Heart, it is sincerely (without any bye Ends, or to comply with any Party whatsoever) intended and breathed forth from the sad Hearts of the Petitioners, who are overwhelmed with many Fears on all Sides; and who call God, the Searcher of all Hearts, to witness that, according to their *Covenant* and Duty, their Zeal, Devotion, and Obedience is as fervent and proftrate as ever to serve the Parliament with their Lives and Estates, against all the Enemies of our Peace, and to conjoin the City more and more to the Parliament, and to maintain the Union of both Nations against all Opposers whatsoever.

‘ All which we humbly submit unto the Wisdom of this Honourable House.’

MITCHELL.

After presenting the foregoing *Petition*, Mr. Foot said he was commanded by the Lord Mayor, Alder-

Aldermen, and Common Council-Men of the City of London, to acquaint the House with a Copy of a Letter that the King sent lately to the Lord Mayor; and it being opened only Yesterday, they think it fit to present the same to the Knowledge of their Lordships; which Letter was read:

AN. 22. CAR. I.
1646.
May.

For our Right Trusty and Well-beloved the Lord Mayor, Aldermen, and Common Council-Men of our City of London.

CHARLES R. Newcastle, May 19, 1646.

Right Trusty and Well-beloved, we greet you well.

HAVING expressed our Resolutions to the two Houses of our Parliament of England, and the Committee of Estates of our Parliament of Scotland, to give all just Satisfaction to the joint Desires of both Kingdoms, we have likewise now thought fit to assure the two chief Cities of both our Kingdoms, that nothing is more grievous to us than the Troubles and Distractions of our People; and that nothing on Earth is more desired by us, than that, in Religion and Peace, with all the comfortable Fruits of both, they may henceforth live under us in all Godliness and Honesty; and this Profession we make for no other End, but that you may know immediately from ourselves our Integrity and full Resolution to comply with our Parliaments in every Thing for settling Truth and Peace, and our Desire to have all Things speedily concluded which shall be found requisite for that End; that our Return to that our antient City may be to the Satisfaction of our Parliament, the Good-liking of you and all our good People, and to our own greater Joy and Comfort. We bid you heartily farewell.

And a Letter from the King to that City.

The Company being withdrawn, the Lords appointed the Earls of Northumberland, Essex, Manchester and Lincoln, Viscount Say and Sele, with the Lords Roberts and Willoughby, to consider what Answer should be returned to the Lord Mayor and Com-

An. 22. Car. 1. Common Council upon this *Remonstrance* and *Petition*; and to present the same to the House.
1646.

May.

Then their Lordships adjourned during Pleasure, and the Committee withdrew. The House being resumed, the Earl of *Manchester* reported what the Committee had drawn up in *Answer* to the *Remonstrance* and *Petition* of the City; which was read; and, after Debate, it was put to the Question, Whether the *Paper* now read should be delivered as the Sense of this House now at the Bar, to the Persons that brought the *Petition* and *Remonstrance* from the Lord Mayor, Aldermen, and Common Council-Men of the City of *London*? and it was resolved in the Affirmative.

A *Memorandum* is entered in the *Journals*, that the following Lords, before the putting of the Question, desired Leave of the House to enter their Dissent and Protestation, if this Question should be carried against their *Vote*; which was granted, and they sign'd accordingly.

NORTHUMBERLAND.

KENT.

PEMBROKE and MONTGOMERY.

WHARTON.

SAY and SELE.

GREY.

DENBIGH.

HOWARD.

SALISBURY.

MONTAGUE.

The Aldermen and Common Council being called in, the Speaker read the foregoing *Paper* to them *in hæc Verba*:

An Answer of
Thanks from
the Lords to the
foregoing Peti-
tion,

THE Lords are very sensible of the great Fidelity and constant Services of the Lord Mayor, Aldermen, and Common Council of the City of *London* to this present Parliament, which they shall never forget. They acknowledge their Zeal, expressed upon all Occasions, in the Cause of God and this Parliament; and how readily they have spilt their Blood, and spent and laid out themselves and their Estates in the Maintenance thereof: They are very well satisfied with your Expressions and Care to settle the true Reformed Protestant Religion according to the Co-
venant

‘venant, and with your Desires to have all Heresy, Schism, and Blasphemies suppressed; as also with your Respect to preserve the Rights and Privileges of Parliament, the Liberties of the Kingdoms, and to preserve and defend his Majesty’s Person and Authority in the Preservation of the true Religion and Liberties of the Kingdoms, his Royal Posterity and the Peace of the Kingdoms; as also for your Desires for the Continuance of that Union between us and our Brethren of Scotland, of whose Services and Sufferings we shall not only hold a grateful Memory, but, upon all Occasions, give a Retaliation: Unto all which we hold ourselves, equally with you, obliged by our *Solemn League and Covenant*.

An. 22. Car. I.
1646.

May.

‘As to the Person of the Lord Mayor, the Lords hold a high Esteem of him, according to his Merit, and have commanded me to let you know, that nothing hath passed this House, at any Time, in prejudice of him; and when the Particulars, wherein he finds himself aggrieved, shall be made known unto them, they shall be ready, in a Parliamentary Way, to do him Right.

‘The Lords will take the other Particulars of your *Petition* into serious and speedy Consideration; and have commanded me to give you hearty Thanks for the real Testimonies of Duty and good Affections, which not only by your Words but by your Actions you have constantly manifested unto them.’

Then it was resolved, That this *Remonstrance* Both which are and *Petition* of the Lord Mayor, Aldermen, and ordered to be printed, Common Council of the City of London shall be printed and published, and likewise the foregoing *Answer* of this House to the same. But upon this Question’s being carried, the following Lords entered their Dissent and Protestation against it.

NORTHUMBERLAND.

HOWARD.

PEMBROKE and MONTGOMERY.

MONTAGUE.

GREY.

WHARTON.

DENBIGH.

KENT.

SAY and SELE,

SALISBURY.

Al-

Ad. 22: Car. I.
1646.

May.

The said Petition
very coldly re-
ceived by the
Commons.

Although this *Petition* was so well received by the Lords, yet, as Mr. *Whitlocke* observes^c, many in the House of Commons expressed great Offence at it when it came before them, that the City should take upon them to prescribe to the Parliament what they were to do: And as it was look'd upon to be wholly a Design of the *Presbyterian* Party, it was not liked, and received but this cold Answer to it, 'That it would be taken into Consideration when Time shall be convenient.' And

It appears from the *Journals*, that even this Answer was not obtained without great Opposition; the Numbers on the previous Question being 148 against 113; and, on the main Question, 151 against 108.

General *Ludlow*^d calls this *Petition* an insolent Address from the Mayor and Common Council of the City of *London*: And the Answer of the Commons he styles a positive *Declaration*, that they resolved to preserve their Authority entire to themselves; for that there was a Party in the House of the same Temper with the Addressers, who earnestly endeavoured to break the Army as the principal Obstacle to their Designs, &c.

Nothing else occurring worth our Notice, we shall end the Transactions of this Month with another *Letter* from the *Scots* Commissioners residing in *London*, concerning Want of Pay for their Army:

For the Honourable WILLIAM LENTHALL, Esq;
Speaker of the House of Commons.

S I R,

May 30, 1646.

A Remonstrance
from the Scots
Commissioners
residing in Lon-
don, of the Want
of Pay for their
Army.

IF the sending Supplies to the *Scots* Army, and the giving Order for their Quarters, were a Matter of small Consequence; or could, without very great Prejudice, suffer a Delay, we would be very loath so frequently to trouble the Ho-
'nourable

^c *Memorials*, p. 212.^d *Memoirs*, Vol. I. p. 179, 180.

honourable Houses about that Particular: But when we consider the exceeding great Wants of that Army, and the insupportable Burthen that lies upon the Counties where they do now reside, by reason no Monies are paid to the Army, where-with they may discharge their Quarters; (from whence many dangerous Inconveniencies and sad Evils must needs follow, as may appear by the Letters from the Committee at York, if not very speedily prevented) we do find a Necessity laid upon us still to importune the Honourable Houses for sending a considerable Supply of Money to that Army; and in the mean Time to give Order for their Quarters, that all Differences which may arise between them and the Country, or the Parliament's Forces, may be avoided, and all fair Correspondence may be mutually cherished and entertained.

An. 22. Car. I.
1646.

June.

These Things we have earnestly pressed at the Committee of both Kingdoms, and do now again renew to both Houses for our further Exoneration; wherein, as we have used our best Endeavours to prevent the Evils that are like to ensue, so we cannot but promise to ourselves, that the Honourable Houses will take the same into their wise Consideration, and speedily return a satisfactory Answer to

Your affectionate Friends and Servants,

LAUDERDALE.

A. JOHNSTON.

CHARLES ERSKINE.

H. KENNEDY.

ROBERT BARCLAY.

June. The Beginning of this Month was almost wholly taken up by both Houses, in debating the several Propositions for Peace; which were not yet finished, notwithstanding they had been so many Months about them. But the Particulars of all these, being very long, we shall postpone till they were all connected and framed together, in order to their being presented to the King.

In

An. 22. Car. 1.
1646.

June.

In the mean Time the *Scots* Commissioners, residing in *London*, lost no Opportunity of presenting the Wants of their Army to the Parliament; and renewed their Complaints in the following *Letters*, which they inclosed in a Cover addressed to the Speaker of the House of Lords *pro Tempore*, dated, from *Worcester-House*, June 4, 1646.

But first a *Letter* from the Committee of Estates at *Newcastle* to the Commissioners residing in *London*:

Right Honourable,

Another on the
same Subject,
from those at
Newcastle;

There being nothing more in our Desires than to preserve a right Understanding, and prevent every Thing that may tend to the Weakening of the happy Union between the Nations, we have thought it necessary again to shew your Lordships that our Army is exceedingly straitened in that Corner of the County of *York* wherein they are now quarter'd, by the near approaching of the Parliament's Forces; which doth not only bring great Hardships upon our Army, thro' the Want of Accommodations and necessary Entertainment, but also forceth an unjust Burden to be laid upon that Part which should be assisted by the rest of the Country, and may occasion sundry Inconveniencies betwixt our Forces and those of the Parliament.

The Consideration whereof makes us, with all Earnestness, to desire your Lordships to deal effectually with the Parliament, that the Money so often pressed for, may be speedily provided, and sent to supply that extream Necessity of the Army, and they thereby be enabled to give some Satisfaction to the Country, for easing them of part of that Burden which they now bear; and that you would desire that Order may be given to the Forces of the Parliament to forbear to press upon our Quarters, that we may enlarge the same, that the little Part of the Country which bears the Burden of all be not utterly wasted, and the Armies starved; being hopeful, if no Supply

ply be sent to the Army, and we forced to en-
 large our Quarters for avoiding those Evils, and
 to make the Burden of this Part of the Country
 to be lightened, it will be rightly understood, and
 that we have no further Ends therein but to pre-
 serve the Army and Country from Ruin. So ex-
 pecting your Diligence herein, we remain

An. 22. Car. I.
 1646.

June.

Newcastle, May 28, Your Lordships
 1646.

Affectionate Friends,

LEVEN, LANERK,
 LOUDON, BALMERINO.

Next a Letter from the Scots Commissioners re-
 siding in London, in Support of the foregoing :

Right Honourable,

June 3, 1646:

WE have very frequently represented to
 the Honourable Houses the extreme
 Necessities of the Scots Army, and the dangerous
 Effects which were like to follow, if some more
 effectual Course be not taken for their necessary
 Provisions, whereby the Counties might be eased,
 and they not be burthenfome to those Places where
 they did or do quarter. We have also earnestly
 desired, That such Complaints, that were or
 should for the future be sent up hither concern-
 ing any Disorders in that Army, or Abuses com-
 mitted by any Person or Persons therein, might
 be made known unto us, or to the Committee
 of Estates upon the Place; promising that, upon
 Intimation given, and Proof made of the Offence,
 the Offenders should be condignly and exem-
 plarily punished.

And a third from
 their Committee
 at London.

As by these and all other possible Means and
 Ways, we have diligently and faithfully endea-
 voured to prevent Misunderstandings and Dif-
 ferences between the Kingdoms; so (from the
 Conscience of the Solemn League and Covenant,
 and of the particular Trust put upon us; from
 the

An. 22. Car. 1.
1646.

June.

‘ the Sense of the pressing and still unremedied
 ‘ Sufferings of our Army, our Ears being also filled
 ‘ with the Noise of Complaints and Informations
 ‘ come against them, which some do not only easily
 ‘ believe, and readily entertain, but with much
 ‘ Art spread and aggravate; and, finally, that we
 ‘ may, for our own Exoneration in point of Duty,
 ‘ leave no Means unessayed which may heal the
 ‘ present, and prevent all future Jealousies) we
 ‘ cannot choose, at this Season, but express that
 ‘ which lieth much upon our Spirits, and which,
 ‘ being timely animadverted unto by the Wisdom
 ‘ of both Houses, may produce good Effects to
 ‘ their and our Comfort.

‘ As we are conscious to the Sincerity of our
 ‘ own Intentions and Endeavours to preserve a firm
 ‘ Peace and Union between the Kingdoms, and
 ‘ to bring the War to a happy and speedy Conclu-
 ‘ sion; so upon our certain Knowledge we can
 ‘ say, That the Parliament of the Kingdom of
 ‘ Scotland, and, in the Intervals of Parliament,
 ‘ the Committee of Estates at home and with the
 ‘ Army in this Kingdom, have proceeded, and do
 ‘ proceed, upon the same Principles, and toward
 ‘ the same Ends; of which, so far as concerneth
 ‘ the Committee with the Army, the Commission-
 ‘ ers of both Houses have often upon the Place
 ‘ given ample Testimony; which we doubt not
 ‘ they have done here also, as they freely declared
 ‘ they would do. Neither hath that Kingdom (to
 ‘ our best Knowledge) failed in the Performance
 ‘ of any Article of the *Treaty* with this Kingdom,
 ‘ which was to be performed on their Part, al-
 ‘ though Provocations have not been wanting; so
 ‘ that we are exceedingly amazed to hear such
 ‘ Noise of a Breach expected between the King-
 ‘ doms, which if it should fall forth (as the Lord
 ‘ forbid) we are confident it neither hath nor shall
 ‘ have any Cause or Rise from our Nation. And
 ‘ we are no less confident, That a Curse from
 ‘ Heaven shall be upon those Persons, who, for
 ‘ their

their own Ends and Interests, coloured with
false though specious Pretences; are or shall be
plotting and acting all they can to hinder a Peace
and to continue a War; and when, through
God's Goodness, the common Enemies of the Re-
ligion and just Liberties of both Kingdoms are
in so great a Measure broken, lest this should
make an End of the War, do, or shall apply
themselves to sow Discord amongst Brethren, to
make divisive Motions, and to create and increase
Differences between the Kingdoms; and, for
that End, are extremely vigilant to catch, and
actively to improve, the smallest Occasions, taken
sometimes from groundless and false Reports,
sometimes from the Miscarriages of some few
private Persons, pinched with Want and pro-
voked with Reproaches.

An. 22. Car. I
1646.

June.

We shall heartily wish that He, in whose
Sight all Things are naked and manifest, may
discover and resist all secret Enemies of Truth
and Peace, whoever they be; and we trust that
God will so direct the Honourable Houses of Par-
liament, that they will never comply with, nor
connive at, the Counsels and Ways of any Party,
which, for their own Advantages, would not spare
to let in that Flood of Miseries upon this Island,
which cannot but follow upon the Engagement
of the Kingdoms in a War.

We do also expect from the Justice and Wis-
dom of the Parliament, That the Brotherly Way,
formerly used for a good Correspondence between
the Kingdoms, may be remembered and resumed;
and particularly that, according to the *Vote* of
both Houses the 17th of *October*, 1644, in Re-
ference to our *Paper* of the 14th of *September*,
1644, what Doubts or Objections shall arise in
either House, upon Consideration of any Thing
propounded concerning the *Scots* Armies in *En-
gland* or *Ireland*, the same be recommitted to a
Committee of both Houses, that after Debate
with us, and full Understanding of our Meaning,
the Results thereof may be reported.

An. 22. Car. 1.
1646.

June.

‘ If now the Honourable Houses are or shall be
 ‘ unsatisfied concerning any in the *Scots Army*, we
 ‘ do faithfully promise and engage ourselves in the
 ‘ Name of that Army, that real and speedy Satis-
 ‘ faction shall be given when it shall be desired ;
 ‘ and the Delinquents, when they shall be made
 ‘ known, severely punished ; and if they be such
 ‘ as have served in Arms against the Parliament,
 ‘ shall be removed out of the Army : In which
 ‘ Particular the Committee with the Army did
 ‘ lately give an Evidence of their Willingness, up-
 ‘ on Occasion of a Motion offered from some of
 ‘ themselves to some of the Commissioners of the
 ‘ Parliament, that a *Paper* might be delivered to
 ‘ the Committee of Estates from the said Commis-
 ‘ sioners of Parliament, desiring such as had been
 ‘ in Arms against the Parliament, to be removed
 ‘ out of that Army.

‘ After this a *Paper* was delivered from the
 ‘ Commissioners of Parliament, proposing, That
 ‘ such Subjects of the Crown of *England* as have
 ‘ served the Enemy, and have not conformed to
 ‘ the *Ordinance* of Parliament, might be removed
 ‘ out of that Army. The Committee of Estates
 ‘ did return a most satisfactory *Answer*, condescend-
 ‘ ing heartily to the *Proposition*, and desiring from
 ‘ the said Commissioners a List of the Names of
 ‘ such Persons, that they might instantly be dis-
 ‘ charged ; promising also they themselves should
 ‘ diligently enquire after them, and make it ap-
 ‘ pear how cordially they love and honour the
 ‘ Parliament of this Kingdom ; all which is more
 ‘ fully expressed in the *Papers* themselves. There-
 ‘ after, about the Time of the Removal of our
 ‘ Army from *Newark*, the Commissioners of Par-
 ‘ liament, according to such Informations as they
 ‘ had, delivered in a List of the Persons, wherein
 ‘ there were named divers of our Army upon a
 ‘ Mistake, they being of the same Name with
 ‘ some that had served against the Parliament ;
 ‘ but themselves (to the perfect Knowledge of the
 ‘ Committee) having never served against the Par-
 ‘ liament ;

An. 22. Car. I.

1646.

June.

liament; yea, having come in with that Army
at their Entry into this Kingdom. And as to
any others in that List, the Committee returned
this Answer, That, according to the former En-
gagement in their *Answer* of the 17th of April,
such Persons should be removed out of the Ar-
my.

Their Willingness to execute Justice hath
been manifested in the Case of other Offenders,
as well as those who have been in Arms against
the Parliament. Upon some Complaints against
the Reformadoes that were in that Army, by Or-
der of the Committee of Estates they were forth-
with discharged and removed out of the Army.
And upon some Disorders committed by others,
a Council of War was called, and the Persons
guilty condemned and executed. It is true, the
Commissioners of the two Houses delivered a
Protestation against that Way of Proceeding by
a Council of War of the Officers of the same
Regiment to whom the Delinquents did belong,
but it was after the Council of War had met, and
the Persons were sentenced. And concerning that
Way of Procedure, we desire it may be confi-
dered, That it is the constant Way of the Mi-
litary Discipline of *Scotland*, as it is in *Germany*
and many other Places of the World, and which
every Regiment claimeth as their proper Pri-
lege. Some others have been lately put to death,
and what more can be required at their Hands?

As to the Complaints of the Country of their
great Burdens: It is no wonder, seeing one Cor-
ner thereof sustaineth the Burden of the Main-
tenance of that Army, when it should be equal-
ly laid upon the whole Kingdom: For Remedy
whereof, the Army, and we in their Name, have,
with much Importunity, desired Means from the
Parliament to relieve them, or to supply them-
selves; and they are most willing to allow in
their Accounts, what they receive in their Quar-
ters; and have often desired Commissioners to

An. 22. Car. I.

1646.

Junc.

be sent down to concur with them to adjust the Particular; and if they knew of any other Way to keep themselves from disbanding or starving, but by taking of Quarters in the Country when no Money is provided for them, they would most heartily embrace it.

When we shall know any other particular Complaints concerning Disorders in that Army, then we shall be ready to give speedy, just, and satisfactory *Answers*. This we can say for the present, That although Warrants have been issued out to invite the Country to present their Complaints concerning Disorders committed in our Army; (the like not being done concerning Disorders amongst the *English* Forces) yet upon the Knowledge and Proof of any Offence so complained of, Justice was done, which is the most that can be required: Although, likewise all the Time our Army was before *Newark*, our Foot Soldiers had only one Penny Halfpenny *per Diem* in Money and Provisions; whereas the *English* Soldiers, employed in the same Service with them, had Eight-pence *per Diem*, and Twelve-pence every third Day when they did work. And although strict Discipline, and Justice against all Abuses, useth not to be expected from an Army which receiveth so little of their Pay, yet there hath been more Strictness in punishing Offenders in that Army, than amongst those who were much better paid.

We desire not to asperse any, but only to vindicate the Reputation of our own Army, and to move the Honourable Houses to take some more real and effectual Course for supplying their Wants; and that they may be pleased, for preventing of further Differences, and for the greater Ease of the Country, to give Order to the Committee at *York* for the quartering of the *English* Forces and ours in the most convenient Places; as likewise for sending to ours a considerable Proportion of Money to discharge their Quarters and relieve their extreme Necessities.

It

‘ It is not light, but grievous, to us, to hear An. 22. Car. I.
 ‘ of any Disorders at all committed by any Per- 1646.
 ‘ son in that Army, (how great soever the Ne-
 ‘ cessities be unto which they are reduced) or
 ‘ that our Army should be any longer burthen-
 ‘ some to this Kingdom. And we do, in the Name
 ‘ of that Kingdom and Army, declare and assure,
 ‘ That as they came into this Kingdom upon an
 ‘ earnest Invitation from both Houses of Parlia-
 ‘ ment, and for the Ends expressed in the *Covenant*
 ‘ and *Treaty*, and *Declaration* of both Kingdoms,
 ‘ (the Close whereof doth express the Resolution of
 ‘ both to have Truth and Peace settled upon a firm
 ‘ Foundation before their laying down of Arms)
 ‘ so their Continuance neither is, nor shall be,
 ‘ made use of to the least Encroachment upon the
 ‘ Government of this Kingdom, nor to any other
 ‘ Ends besides those expressed in the *Covenant* and
 ‘ *Treaty*; and how soon soever *Religion* and *Peace*
 ‘ shall be settled accordingly, our Army and Gar-
 ‘ risons shall forthwith remove out of this Kingdom.

June.

‘ These Things we shall wish may be speedily
 ‘ done, and that the *Propositions* for a safe and
 ‘ well-grounded *Peace* (which did for a very short
 ‘ Time remain in our Hands) may now, after so
 ‘ long Expectation, be sent to the King; that,
 ‘ upon his Royal Consent to the Desires of, his
 ‘ People for settling and securing of *Religion* and
 ‘ *Peace*, his Majesty may return to his Parliament
 ‘ here; all Armies may be disbanded; the heavy
 ‘ Pressures of the Subjects ended; and the King-
 ‘ doms may remain in a firm Peace and Union to
 ‘ all Posterity, according to the *Solemn League*
 ‘ and *Covenant*.’

All the Notice we can find that the Parliament Both Houses re-
 took of this long *Remonstrance* was, that on the solve that they
 6th the House of Commons, at a Conference, de- have no farther
 livered to the Lords the following *Votes* for their Use for the Scots
 Concurrence, which were agreed to by them. Army.

I. ‘ That the House of Commons do declare,
 That this Kingdom hath no farther Use for the

An. 22. Car. I. Continuance of the Scots Army within the Kingdom of England.

1646.

June.

2. 'That the Sum of 100,000*l.* be forthwith provided for the Scots Army; 50,000*l.* thereof to be paid unto them upon the Delivery of all the Garrisons except *Berwick*, which is to be ordered and disposed of according to the *Treaty*; and the other 50,000*l.* when they shall be in the Kingdom of Scotland.

3. 'That this House doth again desire, that the Scots Commissioners will send to the House the Accounts of the Arrears of their Army; and doth declare that, upon the adjusting of the Accounts, they shall be satisfied that which shall be due to them according to the *Treaty*.'

The Scots Commissioners Vindication of their Conduct, on presenting to the Lords the King's Letter to the Marquis of Ormond;

June 8. The Scots Commissioners sent another Letter to the Lords, with one inclosed from the King to the Marquis of Ormond, in Ireland, of a very strange Tenour; both which sufficiently explain themselves.

For the Right Honourable the SPEAKER of the House of Peers pro Tempore.

Right Honourable,

'THIS inclosed *Paper* having very lately come to our Hands; which, although it had not so much as Colour enough to deceive, yet, nevertheless, as Major-General *Monro*, in Testimony of his Integrity, did communicate the Thing to the Commissioners of Parliament in *Ulster*; so we, for preventing Mistakes, (many Copies of the same Thing being spread among the People) have thought good to communicate the same to the Honourable Houses, with our Sense upon it; that, by their Wisdom and reciprocal Care, a right Understanding in all Things may still be preserved between the Kingdoms. Whether any such Letter was signed by the King at *Oxford*, or whether it was invented of purpose to support a declining Party, we do not know; what may concern

cern the King in it we leave to himself, who as he hath, since the Date of that *Paper*, expressed contrary Intentions and Resolutions in his *Messages* to both Kingdoms, so he can best tell what he wrote at that Time; we are only to speak to the Matter of the *Paper* which cometh from the Hand of Secretary *Nicholas*, unto whose Informations what Credit ought to be given, the Houses very well know.

An. 22. Car. I.
1646.
June.

It doth consist with our perfect Knowledge, and we declare it with as much Confidence as ever we did or can do any thing, that the Matter of the *Paper*, so far as concerneth any Assurance or Capitulation for joining of Forces, or for Combining against the Houses of Parliament, or any other private or public Agreement whatsoever, between the King upon the one Part, and the Kingdom of *Scotland*, their Army, or any in their Name, and having Power from them, upon the other Part, is a most damnable Untruth.

We shall not need to express how improbable it is, if there had been any such Agreement, that the King about the same Time should have sent a *Message* to both Houses, offering to come to *London*, and to follow their Advice in all Things, without offering any Satisfaction to the Kingdom of *Scotland*; and that, before he received the *Answer* of the Houses, he should write such a *Letter* to *Ireland*, and give Orders to make it known not only to his Privy Council, but to his other Subjects of that Kingdom:

Nor will we insist how improbable it is that the King should make this known to the Marquis of *Ormond*, and neglect to acquaint the late Earl of *Montrose*, who had been much more concerned, and who would, no doubt, if he had known any such Thing, have communicated the same to Major-General *Middleton*; and prevented the defeating of himself, his Associates and Forces, about the Middle of *May*, after the King was with the *Scots* Army;

Nor

An. 22. Car. I.

1646.

June.

‘ Nor how unlikely it is that he who is, for the
 ‘ Time, Commander in Chief for the *Scots* Forces
 ‘ in *Ireland*, should be for the Space of seven or
 ‘ eight Weeks totally ignorant of any such Agree-
 ‘ ment; or, if he had known of any such, that
 ‘ he should not have communicated it to the Com-
 ‘ missioners of the Parliament, and immediately
 ‘ marched himself to the Field against the Enemy :

‘ Nor shall we need to call to Mind the Expres-
 ‘ sions in the Lord *Digby*’s intercepted Letters,
 ‘ which gave our Nation the Character of such as
 ‘ could not be gained to that Side; no not after all
 ‘ Applications used. There are other more sure
 ‘ and more public Testimonies since the Date of
 ‘ that lying *Paper*, which makes the Falshood of
 ‘ it more than palpable; as if Divine Providence
 ‘ had purposely ordered all the late Actions of the
 ‘ Kingdom of *Scotland* and of their Forces, both
 ‘ before and since the 13th of *April*, to be so many
 ‘ real Confutations of that groundless Invention;
 ‘ we mean several late Fights with the Rebels un-
 ‘ der the late Earl of *Montrose*, and *Alaster Mac-*
 ‘ *donald*; the Delivery of *Newark*; the restrain-
 ‘ ing and debarring of Delinquents and Malignants
 ‘ from the King’s Person and from our Army; the
 ‘ late public Declarations of the Church and State
 ‘ of *Scotland* in the Beginning of *April*; as like-
 ‘ wise of the General and Committee with the
 ‘ Army, agreed upon about the End of *April*, and
 ‘ published the 15th of *May*, in *Scotland*, against a
 ‘ Band of the Earl of *Seaforth* and his Associates;
 ‘ as for other Reasons, so especially for this, that
 ‘ the said Band did tend to the weakening of the
 ‘ Confidence and Union between the two King-
 ‘ doms, firmly joined and mutually engaged
 ‘ for Assistance to each other in this Cause, as may
 ‘ appear more fully by the *Declaration* herewith
 ‘ presented:

‘ Nor can we pass over the *Paper* delivered to
 ‘ the King, by the Committee of Estates, the 15th
 ‘ of *May* last, That if his Majesty should delay to
 ‘ go about the readiest Ways and Means to satisfy
 ‘ both

both his Kingdoms, they would be necessitated, An. 22. Car. I.
for their own Exoneration, to acquaint the Com- 1646.
mittee of both Kingdoms at *London*; that a Course
might be taken by joint Advice of both King-
doms, for attaining the just Ends expressed in the
Solemn League and Covenant.

We shall say no more of this Particular. God
hath his own Time to make manifest who have
dealt sincerely and who falsely; and as our Na-
tion did refuse to join with the Enemy's Forces
when they were strongest, and did join with our
Brethren of *England* in their weakest and most
necessitous Condition; so we shall never look for
a Blessing from God upon either Nation longer
than they continue faithful to God and to each
other, according to the *Covenant and Treaty*.
And we do confidently expect, from the Wisdom
and Justice of the Honourable Houses, that this
and such like *Papers* shall find no more Credit
here than *Papers* and *Declarations* against them-
selves did formerly find in *Scotland*; and that
Declarations and *public Papers* from the Kingdom
of *Scotland*, or their Committees or Commission-
ers, shall have such Acceptation with both Houses
as they desire *Declarations* from themselves, or
Papers from any in their Name, may have with
their Brethren of *Scotland*. Nor do we doubt
but God will dissipate all these Clouds of Calum-
nies, and Misunderstandings endeavoured there-
by, and will give such a Frame of Spirit to both
Nations, as may continue them in a brotherly
Accord and mutual Confidence for the Good of
both this and of the succeeding Generations;
which hath been, is, and shall be, most earnestly
wished and faithfully endeavoured by

Your very affectionate Friends

Worcester-House,
June 8, 1646.

and humble Servants,

LAUDERDALE.

A. JOHNSTON. H. KENNEDY.
C. ERSKINE. R. BARCLAY.

P. S.

An. 22. Car. I.
1646.

June.

P. S. ' We have sent your Lordships here inclosed an *Order* of the Committee of Estates at the Army, which will evidence their Care to remove out of that Army all such against whom any just Complaints have been made by the Country.'

The King's *Letter* to the Marquis of Ormond, Lord-Lieutenant of Ireland, inclosed in the foregoing.

CHARLES R.

Right Trusty and intirely beloved Cousin and Counsellor, we greet you well,

Which sets forth
his Majesty's
Reasons for going
into the Scots
Army.

HAVING used all possible and honourable Means by sending many gracious Messages to the two Houses of Parliament, wherein we have offered them all they have heretofore desired; and desired from them nothing but what they themselves, since these unhappy Wars, have offered to procure our personal Treaty with them for a safe and well-grounded Peace; and having, instead of a dutiful and peaceful Return to our said Messages, received either no Answer at all, or such as argues nothing will satisfy them but the Ruin, not only of us, our Posterity, and Friends, but even of Monarchy itself:

And having lately received very good Security that we, and all that do or shall adhere to us, shall be safe in our Persons, Honours, and Consciences, in the Scots Army; and that they shall really and effectually join with us, and with such as will come in unto us, and join with them for our Preservation, and shall employ their Armies and Forces to assist us to the procuring of an happy and well-grounded Peace, for the Good of us and our Kingdoms, in the Recovery of our just Rights: We have resolved to put ourselves to the Hazard of passing into the Scots Army, now lying before Newark; and if it shall please God that we come safe thither, we are resolved to use our best Endeavours, with their
Assist-

Assistance, and with the Conjunction of the Forces An. 22. Car. I.
under the Marquis of Montrose, and such of our 1646.
well-affected Subjects of England as shall rise
for us, to procure, if it may be, an honourable
and speedy Peace with those who have hitherto re-
fused to give Ear to any Means tending there-
unto: Of which our Resolution we held it ne-
cessary to give you this Advertisement, as well to sa-
tisfy you, our Council, and all our loyal Subjects with
you, to whom we will that you communicate these
our Letters, that failing in our earnest and sincere
Endeavours, by Treaty, to put an End to the Mi-
series of these our Kingdoms, we esteemed ourself
obliged to leave no probable Expedient unattempted,
to preserve our Crown and Friends from the Usur-
pation and Tyranny of those whose Actions declare
so manifestly their Design to overthrow the Laws
and happy established Government of this Kingdom.

And now we have made known unto you our Re-
solution, we recommend to your special Care the dis-
posing and managing of our Affairs on that Side, as
you shall conceive most for our Honour and Service;
being confident the Course we have taken, tho' with
some Hazard to our Person, will have a good Infl-
uence on that our Kingdom, and defer, if not altoge-
ther prevent, the Rebels transporting of Forces from
them into that Kingdom.

And we desire you to satisfy all our well-affected
Subjects on that Side, of our Princely Care of them;
whereof they shall receive the Effect as soon as God
shall enable us. We desire you to use some Means
to let us and our Council at Oxon hear frequently
from you, and of your Actions and Condition there.
And so God prosper your loyal Endeavours.

Given at our Court at Oxon the 13th of April,
 1646.

By his Majesty's Command,

EDWARD NICHOLAS.

This

444 *The Parliamentary History*

An. 22. Car. I.
1646.

June.

This *Letter* from the King was sent, by the Marquis of *Ormond*, to Major-General *Monro*, under the following Cover :

S I R,

‘ **H**AVING this Morning received a Dispatch from his Majesty^f, and Command to impart it not only to his Council, but to all his Loyal Subjects, I am confident you have so good Title to a Knowledge thereof, that I have held it my Part instantly to dispatch it unto you by an Express; and so, Sir, wishing you all Happiness, I rest

Your assured humble Servant,

Dublin-Castle, May 21,
1646.

O R M O N D.

After the reading of these *Letters*, the Lords ordered them to be printed^g, and their Speaker to draw up an *Answer* to that from the *Scots Commissioners*, which being done and read, was agreed to in these Words :

Westminster, June 8, 1646.

My Lords and Gentlemen,

The Lords return Thanks to the Scots Commissioners thereupon.

‘ **T**HE Lords having received your Lordships Letter this Morning, mentioning a Letter dated at *Oxford, April 13^h*, 1646, have commanded me to let you know, that no such Paper, nor any Thing else, gives them Occasion to question the Fidelity and Constancy of the *Scots Nation* unto this Cause. And they rest well satisfied with your Lordships Respects, and Care to prevent all Jealousies that may arise; and shall likewise employ their Endeavours to preserve a mutual Correspondency and a good Agreement between the two Kingdoms.’

But

^f By an Indorsement on the King’s *Letter* it appeared to have been sent by Mr. *Walsingham*, a Servant of the Lord *Digby*.

Commons Journals.

^g These are taken from the Edition printed, by their Lordships Order, for *John Wright*, at the King’s Head, in the *Old Bailey*, June 9, 1646.

^h In the Edition of the Times, in *Royson’s* Edition of the King’s Works, and in *Rushworth’s Collections*, this Letter is dated the thirtieth of April: But in the *Commons Journals* the third.

But the Commons were much more brisk and active on the reading of the foregoing *Letters*; for this Day the Question being put, Whether it appears by this *Letter* from the King to the Marquis of *Ormond*, dated as above, that the King went into the *Scots* Army with a Design to set Division between the two Kingdoms of *England* and *Scotland*, and to continue the War against the *English* Parliament? it passed in the Affirmative.

An. 22. Car. 1.
1646.

June.

Resolution of the
Commons on the
same Occasion,

June 10. A Book was brought into the House of Lords, which they adjudged to be a scandalous Pamphlet, written against the common Law of *England*, and the Practice thereof, by Lieutenant-Colonel *John Lilburne*; and he was ordered to appear before that House to answer the same.

June 11. The said *Lilburne* appeared at the Bar of the House of Lords, but, instead of answering any Questions, he delivered a *Paper*, intitled, *The Protestation, Plea, and Defence of Lieutenant-Colonel John Lilburne, given to the Lords at their Bar, June 11, 1646; with his Appeal to his competent and proper Judges the Commons of England, assembled in Parliament.*

Proceedings of
the House of
Lords against
Col. Lilburne.

Upon this the Lords ordered, That the said Lieutenant-Colonel *John Lilburne* should stand committed to the Prison of *Newgate*, during Pleasure, for bringing into this House a scandalous and contemptuous Paper; and that the Keeper of *Newgate* should put him into safe Custody.

The same Day the following *Answer* to the Commissioners of *Scotland*, touching the State of the Accounts and Arrears of Money due to their Armies and Kingdom, was agreed to by the Commons, who ordered it to be sent to the *Scots* Committee residing in *London*, in a Letter from their Speaker, without asking the Concurrence of the other House.

The Commons
require the Scots
Commissioners to
give in an Ac-
count of what
Arrears are due
to them,

WE the Commons of *England*, in Parliament assembled, having declared to your Lordships, that there is no farther Use of conti-

An. 22. Car. 1.
1646.

June.

nuing the Scots Army in the Kingdom of *England*; and that we would provide 100,000 *l.* for the Scots Army; 50,000 *l.* thereof to be paid upon the Delivery up of all the Garrisons, except *Berwick*, which is to be ordered and disposed of according to the *Treaty*; and the other 50,000 *l.* when they shall be in the Kingdom of *Scotland*; we have, in pursuance thereof, appointed a Committee for the providing of the said Sum, which we shall take Care to see paid accordingly:

But whereas by a Letter from the Parliament of *Scotland*, of the third of *February*, 1646, according to the Style of that Kingdom, they do demand of the Houses of Parliament of *England* to make Payment, before the third of *May* next, of the Sums of Money duly owing by them to that Kingdom, and their Armies in *England* and *Ireland*, according to the *Treaties* between the two Kingdoms, the Account whereof will be given in by their Commissioners: This House (although the Parliament of *England* was not engaged to pay all the Money due to *Scotland* by a Day) to the end they might apply themselves to such Courses as might give the Parliament of *Scotland* all possible Satisfaction, did, upon the 26th Day of the said *February*, desire of your Lordships, that the Account might be delivered in to them accordingly, which they have ever since expected: But although the Money, by the Parliament of *Scotland*, was positively demanded by the third of *May* last, yet from that third of *February* untill the twentieth of *May* last this House never heard any Word concerning the said Account, although again desired:

And whereas in the last Letter your Lordships press, that both Houses would appoint Commissioners to join with the Commissioners of the Parliament of *Scotland*, to clear and adjust the Accounts, and remove all Differences concerning the same, as a Way unto which they are obliged by the ninth Article of the *Treaty* between

An. 22. Car. I.

1646.

June.

‘tween the Kingdoms; this House conceiveth that
 ‘ninth Article to refer only to Matters of Differ-
 ‘ence that shall happen to arise between the Sub-
 ‘jects of the two Nations, which are to be de-
 ‘termined by the mutual Advice and Consent
 ‘of both Kingdoms, or their Committees; and
 ‘cannot properly be applied to the Matter of Ac-
 ‘count, or at least cannot be made Use of till an
 ‘Account be first made upon which Differences
 ‘do arise: For although the clearing and adjusting
 ‘those Accounts may possibly, in Time, be
 ‘thought necessary to be referred to Committees
 ‘of both Nations, and that Commissioners may
 ‘be appointed, under the Great Seal, for the Ends
 ‘and Purposes desired by our Commissioners in Oc-
 ‘tober last; yet, untill we may understand what
 ‘is demanded of us by the Kingdom of *Scotland*,
 ‘both in relation to that Kingdom and their Ar-
 ‘mies, we hold it contrary to the Course of all
 ‘Proceedings, to refer to Committees what the
 ‘House is not possessed of, or to go about to sur-
 ‘charge or discount untill we see what will be de-
 ‘manded as due, and what acknowledged to have
 ‘been received upon the State of your Account:

‘Wherefore we again most earnestly desire your
 ‘Lordships, that we may from you understand
 ‘what the Sums are that are demanded by the
 ‘Kingdom of *Scotland* as due, not only to their Ar-
 ‘mies but to the Kingdom, in all Relations what-
 ‘soever; that we may take such speedy Course for
 ‘the Satisfaction thereof, as your Lordships and
 ‘all the World may see the Clearness and Justness
 ‘of our Intentions towards you, and may remove
 ‘all Jealousies and Misunderstandings between
 ‘the two Nations.’

June 15. A Letter from the King was this Day
 presented to the Lords by their Speaker, the Earl
 of *Manchester*, to whom it was address’d, with a
 Command from his Majesty to communicate it to
 both Houses, and to the *Scots* Commissioners.

New-

An. 22. Car. I.
1646.

Newcastle, June 10, 1646.

CHARLES R.

June.

The King's Letter to the Parliament, desiring them to hasten the Propositions of Peace.

HIS Majesty looking with Grief of Heart upon the sad Sufferings of his People in his three Kingdoms for some Years past, and being affected with their Distresses and unquiet Condition, through the Distractions about Religion, the keeping of Forces on Foot in the Field and Garrisons, the not satisfying of Public Debts, and the Fears of the further Effusion of Blood by the Continuance of an unnatural War in any of these Kingdoms, or by rending and dividing these Kingdoms, so happily united; and having sent a gracious Message unto both Houses of Parliament, and the Commissioners of the Parliament of Scotland, expressing the necessary Causes of his coming from Oxford unto the Scots Army, (without any Intention to make a Division where he is in Freedom and right Capacity to settle a true Peace) and containing such Offers as he conceived would have been accepted, with a general Clause of complying with their Desires: And being impatient of Delays, and not acquainted with the Particulars which may give Contentment to them, his Majesty doth earnestly desire that the Propositions of Peace so often promised, and so much expected, may be speedily sent unto him, that, upon Consideration of them, he may apply himself to give such Satisfaction as may be the Foundation of a firm Peace. And for the better and more speedy attaining thereunto, his Majesty doth further propound, That he may come to London with Safety, Freedom, and Honour, where he resolves to comply with his Houses of Parliament in every thing which may be most for the Good of his Subjects, and perfect what remains for settling both Kingdoms and People in an happy Condition; being likewise most confident that they, according to their reiterated Declarations and solemn Protestations, will be zealous in the Maintenance of his Honour and just and lawful Rights. And as his Majesty desires the Houses of Parliament to disburthen the

King-

Kingdom of all Forces and Garrisons in their Power, An. 22. Car. I.
except such as, before these unhappy Times, have been
maintained for the necessary Defence and Safety of
this Kingdom, so he is willing forthwith to disband all
his Forces and Garrisons within the same, as the in-
closed Order herewith sent will evidence: And if,
upon these Offers, his Majesty shall have such Satis-
faction as he may be confident a firm Peace shall
ensue thereon, his Majesty will then give Order for
his Son, the Prince's present Return.

1646.

June.

A Letter from the King to the Governors of
his Garrisons was also read.

To our Trusty and Well-beloved Sir Thomas Glem-
ham, Sir Thomas Tildesley, Col. H. Washington,
Col. Thomas Blagge, Governors of our Cities and
Towns of Oxford, Litchfield, Worcester, and
Wallingford, and all other Commanders of any
Towns, Castles, and Forts in our Kingdom of
England.

CHARLES R. Newcastle, June 10, 1646.

HAVING resolved to comply with the Desires of
our Parliament in every Thing which may be
for the Good of our Subjects, and leave no Means
unessay'd for removing all Differences amongst us;
therefore we have thought fit, the more to evidence
the Reality of our Intentions of settling an happy and
firm Peace, to require you, upon honourable Terms,
to quit those Towns, Castles, and Forts intrusted to
you by us, and to disband all the Forces under your
several Commands.

His Order for
surrendering all
his Garrisons.

And another to the Marquis of Ormond.

CHARLES R. Newcastle, June 11, 1646.

Right Trusty and Entirely-beloved Cousin and
Counsellor, we greet you well.

HAVING long, with much Grief, looked upon the
sad Condition our Kingdom of Ireland hath
been in these divers Years thro' the wicked and de-

Another, forbid-
ding the Mar-
quis of Ormond
to treat any fur-
ther with the
Irish Rebels,

An. 22. Car. I.
1646.

June,

perate Rebellion there, and the bloody Effects that have ensued thereupon; for the settling whereof we would have wholly applied ourselves, if the Difference between us and our Subjects here had not diverted and withdrawn us; and not having been able (for that respect) to reduce them by Force, we were necessitated, for the present Safety of our Protestant Subjects there, to give you Power and Authority to treat with them upon such pious, honourable, and safe Grounds, as the Good of that our Kingdom did then require: But for many Reasons, too long for a Letter, we think fit to require you to proceed no further in Treaty with the Rebels, nor to engage us upon any Conditions with them after Sight hereof. And having formerly found such real Proofs of your ready Obedience to our Commands, we doubt not of your Care in this, wherein our Service and the Good of our Protestant Subjects in Ireland is so much concerned.

Letters and Papers to and from the Scots Commissioners, relating to the Propositions of Peace, the State of their Army, and the King's Compliance with the Parliament.

Next the Earl of Manchester signified to the Lords, that the Scots Commissioners had delivered to him several Letters, and Papers inclosed therein; all which were opened and read as follows:

And, first, a Letter from the Committee of Estates of Scotland, then residing with their Army at Newcastle.

For the Right Honourable the LORDS and COMMONS of the Parliament of England assembled at Westminster.

Newcastle, June 10, 1646.

Right Honourable,

NOT only our Consciences bear Witness to ourselves, but our Actions are a real and public Testimony to all Men who have mark'd our Ways, since our coming into this Kingdom, how earnest our Desires, and how constant our Endeavours, have been to preserve the Union of the two Kingdoms, as a principal Means of Happiness to both, and for this End what our Affections

An. 22. Car. I.
1646.

June.

‘ Affections and Care have been to observe and
‘ perform the whole Articles of the *Covenant* and
‘ *Treaties* betwixt the two Kingdoms; yet thus
‘ much we may truly say, That at no Time since
‘ the Beginning of our Engagements in this Cause,
‘ have we, with more Sincerity and Faithfulness,
‘ endeavoured to improve our Opportunities for
‘ the Public, than now of late, since his Ma-
‘ jesty’s unexpected Coming into our Army, by
‘ our earnest and incessant Dealing with him to
‘ send such *Messages* to his Parliament as may give
‘ them full Satisfaction, and be a sure Ground of
‘ Peace to his Kingdoms and of Happiness to him-
‘ self: And although we have not as yet so far
‘ prevailed against such Principles as, by Educa-
‘ tion, Length of Time, and the Counsel and
‘ Company of such as have been formerly brought
‘ up with him, have been deeply rooted in his
‘ Mind, as to obtain the utmost of our Desires;
‘ yet have we not quite lost our Labour, nor are
‘ we without Hope but that, in a short Time, he
‘ may be moved to give Satisfaction unto his
‘ People; which, when it cometh, will be a Mat-
‘ ter of rejoicing to all that love the settling of Re-
‘ ligion and Peace: And we do earnestly intreat,
‘ and confidently expect, that the Houses of Par-
‘ liament will, in their Wisdom, and from their
‘ Love of Peace, be pleased, with the Concurrence
‘ of the Commissioners from the Parliament of
‘ Scotland, speedily to send such *Propositions* and
‘ Demands to be granted by his Majesty, as are
‘ necessary for the curing the present Distempers,
‘ the settling of Religion, Peace, and the Safety
‘ of his Majesty’s Person and Authority, concern-
‘ ing the conserving the Union of these Kingdoms;
‘ which being sent, we shall, upon his Majesty’s
‘ Answer, clearly and distinctly know how to pro-
‘ ceed in this intended Pacification, and to satisfy
‘ the Desires of the Parliament and our own in
‘ disbanding our Forces, delivering up the Garri-
‘ sons possessed by us, and return home, after all
‘ our Sufferings, with the same Chearfulness and

452 *The Parliamentary HISTORY*

An. 22. Car. I.
1646.
June.

‘ Affection that we had when we came into thi
‘ Kingdom. And we resolve shortly to send some
‘ from us to give your Lordships further Informa-
‘ tion of our Proceedings here, that, by mutual
‘ and joint Advice, such Things as may serve for
‘ the Good of both Kingdoms may be brought to
‘ a speedy and happy Issue; which is the earnest
‘ Desire of

Your Lordships humble Servants,

LEVEN.

LOUDON.

LANERK.

ARGYLE.

CRAWFORD and

LINDSAY.

LOTHIAN.

CALLENDER.

DUMFERMLINE.

A. HEPBURN.

RO. FREEBAIRN.

D. HOME.

J. SCHAW.

W. GLENDINNING.

Next a *Letter* from the Scots Commissioners in
London.

*To the Right Honourable the SPEAKER of the
House of Peers pro Tempore, to be communicated
to the two Houses of Parliament.*

Right Honourable,

‘ **W**E have frequently, and for a long Time,
‘ represented to the Honourable Houses
‘ our earnest Desires of a happy and speedy *Peace*;
‘ of which we are so studious, that we cannot
‘ cease from expressing the same Desires on all
‘ Opportunities; and the rather at this Time, be-
‘ cause of the sad Stroke lately fallen upon our Bre-
‘ thren in *Ireland*; whose former and present Suf-
‘ ferings, under which they groan, do, of them-
‘ selves, call so loud that we doubt not the Houses,
‘ in their Wisdom, Care, and Commiseration, will
‘ timely and effectually apply themselves to the
‘ composing of all Differences, and the speedy set-
‘ tling a happy *Peace* in this Island, whereby they
‘ may be enabled to send further Aid and Succour
‘ unto that Kingdom, for prosecuting of the War,
‘ and reducing of the Rebels to Obedience; and,
‘ for

‘ for the same Ends, speedily to send Provisions to
 ‘ the *Scots* Army there, who, for many Months,
 ‘ have received nothing, notwithstanding their
 ‘ Faithfulness and great Sufferings in the public
 ‘ Service. Another Occasion now ministred unto
 ‘ us is, from the pressing and unsupplied Necessities
 ‘ of our Army in the *North* of this Kingdom, who
 ‘ are extremely straitened in their Quarters and
 ‘ Provisions; for remedying whereof the Lord-
 ‘ General and Committee of Estates with the Army
 ‘ did write unto the Committee of *York*, and to
 ‘ Colonel-General *Poyntz*; who, in their *Answers*,
 ‘ have declared no Unwillingness, but they are
 ‘ not enabled by any Power from the Parliament
 ‘ to afford them the desired Assistance and Satisfac-
 ‘ tion towards the Enlargement of their Quarters,
 ‘ or bettering of their Provisions, as will more fully
 ‘ appear by the *Letters* themselves herewith pre-
 ‘ sented: We do, therefore, yet again earnestly
 ‘ desire that the Honourable Houses will be pleased
 ‘ to give Orders to the Committee at *York*, for
 ‘ the convenient quartering of the *Scots* Army, and
 ‘ accommodating them with necessary Provisions;
 ‘ that the Burthens of the Country, occasioned, to
 ‘ our great Grief, by the failing of the due and
 ‘ orderly Course for providing for that Army, may
 ‘ be eased; to which End we do also renew our
 ‘ former Desire, for sending them from hence a
 ‘ considerable Sum of Money towards the Dis-
 ‘ charge of their Quarters.

‘ We must further make known, that as the
 ‘ Committee of *York* and Colonel-General *Poyntz*,
 ‘ in their *Letters* of the 4th of this Instant *June*,
 ‘ do fairly and ingenuously give Testimony to the
 ‘ faithful and careful Endeavours of the Committee
 ‘ of Estates, for preventing Misunderstanding and
 ‘ for preserving Peace and Amity betwixt the
 ‘ Kingdoms, in which they were pleased, in their
 ‘ *Letter*, to give for Instance the Order of the
 ‘ Committee of Estates for preventing the further
 ‘ Entertainment of such as should give Occasion
 ‘ of Offence, and for disbanding the Regiment of

454 The Parliamentary History

As. 22. Car. 1.
1646.

June.

Major-General *Vander-Esch*; which, as the
 ' Messenger sent hither doth assure us, is already
 ' put in Execution, and none of them are suffered
 ' to be received into other Regiments. And as
 ' that Honourable Committee, in their *Paper* of
 ' the 8th of this Instant, presented to the King,
 ' (which we do herewith communicate) and in their
 ' own *Letter* to the Honourable House, have ex-
 ' pressed their firm Resolutions not to suffer them-
 ' selves to be divided from their Brethren of En-
 ' gland, with whom they are united by the *Solemn*
 ' *League and Covenant*; but to preserve that happy
 ' Union, and to observe the Articles of the *Cove-*
 ' *nant and Treaties* between the Kingdoms; so,
 ' upon the most particular and assured Knowledge
 ' which we have of their faithful Zeal and unani-
 ' mous Endeavours, we do faithfully and constantly
 ' say, That if both Houses had been Witnesses of
 ' their privy Consultations, as before, so especially
 ' since his Majesty did unexpectedly come amongst
 ' them, it had been instead of many Demonstra-
 ' tions to remove Jealousies between the Nations,
 ' and to breed a more fit Confidence of their Sin-
 ' cerity and Integrity towards this Nation: We
 ' therefore, joining and co-operating with them
 ' for the said good Ends, do, with all Earnestness,
 ' desire the expediting of the *Propositions* to be sent
 ' to his Majesty, that, by the Blessing of God upon
 ' the joint Desires, Councils, and Endeavours of
 ' both Kingdoms, *Religion and Peace* may be with
 ' all possible Speed settled, all Distempers and Dis-
 ' ferences healed, all Armies in both Kingdoms dis-
 ' banded, the Country eased, our distressed Bre-
 ' thren in *Ireland* relieved, and a firm *Peace* and
 ' *Union* in that Island continued to the Generations
 ' following; than which nothing can be more
 ' earnestly desired or endeavoured by

Worcester-House,
June 15, 1646.

Your Lordships humble Servants,

LAUDERDALE.

A. JOHNSTON. CH. ERESKIN.
 RO. BARCLAY. H. KENNEDY.

P. S.

P. S. ' We do again earnestly desire that the Honourable Houses will send a Committee to join with the Committee of Estates, who may be Witnesses of all their Proceedings, and co-operate with them for the Good of the public Service there.

An. 22. Car. I.
1646.
June.

Copy of a Letter from the Committee at York to the Scots Commissioners at Newcastle.

May it please your Honours,

' **W**E find, by your Lordships Letters of the 1st of June, you are not pleased to give any Hopes of the removing of your Forces out of this County, which we have been often Suitors for, in regard of their Disability to bear the Charge of both Armies; and we cannot forbear to renew the same Suit still. Instead whereof your Honours are pleased to continue to desire our Assistance in the quartering of, and providing for, the Army here; to which, my Lords, we must deal ingenuously. As we had not Power in that Particular heretofore, so neither, at this present, have we in that or any other public Employment, by reason the Ordinance by which we acted expired the last of May, and we have as yet received no Intimation from the Parliament of their Pleasure for the Continuance of it.

' We oftentimes applied ourselves to the House for their speedy Course for the Provision of your Army in some equal Way, and do expect a Return daily; till then, especially in the Condition we now are in, we hope your Lordships will not expect any further Answer from us herein; and that your Lordships will rest satisfied in the Reality of our Desires and Care to do the utmost of our Power that may speak our Constancy to our Covenant, and our Zeal to prevent Mistakes that may any way weaken the happy mutual Amity between the two Nations: And truly, my Lords, we cannot but, with many honourable Respects, take Notice of your Lordships
' Care

An. 22. Car. I.
1646.

June.

Care therein, and of that Honourable Instance
 your Lordships have given us in your Order for
 disbanding of Col. *Vander-Esch's* Regiment; in
 Execution whereof we conceive your Lordships
 will do yourselves and the Cause much Right.

My Lords, so soon as we shall have any Re-
 turn from the Parliament, we shall readily give
 your Lordships a further Account; in the mean
 Time shall desire to be accounted, as we are,

York, June 4, 1646. Your Lordships humble Servants,

GEO. MARWOOD.	DAR. WENTWORTH.
THO. ST. NICHOLAS.	W ^m . GOODWYN.
JOHN FARRER.	TH. BOURCHIER.
RO. WYMORE.	GEO. TROTTER.
JOHN MICKLETHWAITE.	

Copy of a *Letter* from Colonel-General *Pointz*
 to the *Scots* Commissioners.

Right Honourable,

I Received your *Letter* of the first of *June* in-
 stant, and as I perceive your Lordships do
 suspend your Resolutions concerning the more
 Northerly quartering of your Army, till you have
 a Return from the Committee of both Kingdoms;
 so I hope your Lordships will not think of any
 Thing further from me, in a Business of so great
 Concernment to this poor Country, till I shall
 likewise have the Pleasure to hear from those a-
 bove, whose Commands and Directions your
 Lordships will apprehend I am engaged to serve.

My Lords, I should highly injure your Lord-
 ships and myself also, if, upon all Occasions, I did
 not acknowledge your Lordships great Care and
 prudent Circumspection to carry on the Public
 Affairs, in which both Nations have a reciprocal
 Interest, so as the happy Union may be preserved,
 and the Ends which are mutually driven at in the
National League may be best atchieved; and I
 hope

‘ hope your Lordships will not take any Complaints
 ‘ I have represented, as tho’ I had the least Inter-
 ‘ tion to reflect upon your Lordships Particulars :
 ‘ And truly, my Lords, I do, with many humble
 ‘ Thanks, acknowledge it a great Favour to myself,
 ‘ and a convincing Evidence to the World, with
 ‘ what Wisdom your Lordships have conducted
 ‘ yourselves, and as a fresh Instance of your Lord-
 ‘ ships Desire to prevent every Occasion of Distaste,
 ‘ in that your Lordships have given Orders for the
 ‘ Disbanding of Major-General *Vander-Esch*’s Re-
 ‘ giment, and for the preventing of the future En-
 ‘ tertainment of such as give Occasion of Offence ;
 ‘ the effecting of both which will be certainly of
 ‘ very great Consequence, and of very honourable
 ‘ Interpretation.

An. 22. Car. I.
 1646.
 June.

‘ For my own particular, as I shall ever deem it
 ‘ my Honour and Happiness, in any Civil Relation,
 ‘ to be instrumental to the Public Good ; so none
 ‘ shall be more ready to manifest what a large
 ‘ Share thereof he doth account is lapped up in
 ‘ being esteemed, as he is,

My Lords,

York, June 4,
 1646.

Your Lordships humble Servant,

SIDENHAM POINTZ.

The Scots Commissioners *Answer* to the Com-
 mittee at York.

Noble Gentlemen,

‘ WE do perceive by your *Letters* of the 4th
 ‘ Instant, That the *Ordinance* of Parlia-
 ‘ ment, by which you acted in all public Employ-
 ‘ ments, expired the last of *May* ; so that you are
 ‘ not furnished with Authority to afford us any
 ‘ Assistance in the quartering and providing for
 ‘ our Army, which we shall forbear therefore to
 ‘ press any further ; not doubting but when you
 ‘ are better enabled, and your Power enlarged,
 ‘ you

An. 22. Car. 1.

1646.

June
1646

you will continue your public Care to do every Thing that may be for the Good of the Army, and preserving the mutual Amity and Union of the two Kingdoms, which we shall study to confirm by all Ways and Means that are in our Power, having also seriously recommended the same to Lieutenant-General *Lesley*; whom we desired to repair to us about the executing of that Order for disbanding Major-General *Vander-Escob's* Regiment, and that he would likewise take special Care to prevent all Mistakes that might beget any Misunderstanding betwixt us. So we remain

Your most humble Servants,

LEVEN,

ARGYLE,

CRAWFORD and

LINDSAY,

LOTHIAN,

LOUDON,

CALLENDER,

LANERK,

DUMFERMLINE,

D. HOME,

A. HEPBURN,

THO. KERR,

WM. GLENDINING,

R. FREEBAIRN.

Copies of two *Papers* delivered to the King at *Newcastle*: The first signed by the Committee of *Estates of Scotland*: The other not only by all that Committee, but also by the General Officers of the *Scotts Army*.

May it please your Majesty, June 2, 1646.

WE humbly represent to your Majesty, That we conceive that it will much contribute to the Good of your Service, and the better procuring a right Understanding and well-grounded Peace, if your Majesty were pleased to give Order that the Prince's Highness go not beyond Sea; but that he may stay within this Kingdom, so as he may reside therein with Honour and Safety, for preventing the Dangers which may be to his Person and Religion, and the Jealousies and Inconveniences which may ensue

ensue upon his Highness's going out of this Kingdom in this Juncture and Time of Affairs. An. 22. Car. I. 1646.

May it please your Majesty, June 8, 1646.

June.

Whereas, upon Consideration of the present Condition of Affairs, and Sense of our Duty, we did, in all Humility and Faithfulness, advise and beseech your Majesty, that you would be pleased to send such a *Message* to both Houses of Parliament and Commissioners of Scotland, as might be a Ground for settling Religion and Peace according to the Solemn League and Covenant, it is still our earnest Desires that your Majesty would be graciously pleased to send such a *Message*, for the further Satisfaction of your Parliaments, and preventing of imminent Dangers which may ensue upon the Delay thereof; which if your Majesty shall not (out of your Wisdom and Compassion of the sad Condition of your Kingdoms) be pleased to grant, we shall be constrained presently to take such a Course as that, by mutual Advice and Resolutions of both Kingdoms, they may be saved from Breach and the dangerous Sequels thereof.

The Scots Commissioners Answer to Colonel-General Pointz.

Newcastle, June 10, 1646.

Right Honourable,

We received yours of the 4th instant, shewing that you could not satisfy the Desires of our former Letter, nor afford us any Satisfaction towards the Enlargement of our Quarters, untill their Pleasure were known whose Directions you are to observe.

And seeing you are not furnished with Authority on that Behalf, we shall not further press it untill you be authorized and enabled, not doubting you will manifest the Continuance of that Friendship whereof we have always had the Experience; in the mean Time we cannot but be very sensible of your Expressions and Acknowledgment

An. 22. Car. 1.
1646.

June.

ledgement of your Care and Faithfulness in our
 public Employments, and shall endeavour so to
 behave ourselves in pursuing the Ends of our
 Covenant, that all our Ways and Actions may
 speak Constancy and Zeal to preserve the happy
 Amity and Union of both Kingdoms, and to
 prevent every Thing, to the utmost of our Power,
 that may tend to the Infringement of that Union;
 in Assurance whereof we rest

Your most humble Servants,

LEVEN,	DUMFERMLINE,
ARGYLE,	LOTHIAN,
LOUDON,	A. HEPBURN,
CRAWFORD and	D. HOME,
LINDSAY,	R. FREEBAIRN,
LANERK,	J. KERR.
CALLENDER,	

All which are
 communicated
 to the Commons
 at a Conference.

All the foregoing *Letters* and *Papers* were ordered to be communicated to the House of Commons at a Conference, and a *Letter* of Thanks to be written to the Committee of Estates in Scotland.

The Reason of this Conference was to deliver the foregoing *Letters*, &c. to the Commons, and to remind them that the Lords had formerly communicated to them the King's *Letter* of the 18th of May last, and did desire it might also go into the Hands of the Scots Commissioners, according to the Direction on it: But that they found it had lain ever since in their Custody; therefore the Lords did desire that both of them might be communicated to the Scots Commissioners by those Members of each House as were of the Committee of both Kingdoms: Also that the King's last *Warrant* might be sent to Sir Thomas Fairfax, to be forwarded by him to all the Governors of his Majesty's Garrisons and Forces.

June 17. The Earl of Warwick acquainted the Lords, That the Commissioners of the Admiralty had

had received an Account that one of their Ships had intercepted a Letter from the King to the Prince of Wales, in the Isle of Jersey. It was taken from a Master of a Vessel going to that Place, which the Lords made no Scruple to open and read, though it was all written and directed with the King's own Hand ^a.

An. 22. Car. 1.
1646.
June.

For my Son the PRINCE.

CHARLES,

THIS is rather to tell you where I am, and that I am well, than, at this Time, to direct you any Thing; having written fully to your Mother, what I would have you do, whom I command you to obey in every Thing, except in Religion, concerning which I am confident she will never trouble you; and see that you go no where without her's or my particular Directions. Let me hear often from you, and so God blefs you.

An intercepted Letter from the King to the Prince of Wales.

Your Loving Father,

Newcastle, June 2,
1646.

CHARLES R.

P. S. If Jack Ashburnham comes where you are, command him to wait upon you as he was wont, untill I shall send for him, if your Mother and you be together; if not, he must wait on her.

Along with this Letter came the King's Pass for the Master of the Vessel, sign'd by the Earl of Lanerk, both which were ordered to be sent to the Commons and to the Scots Commissioners; but we do not find that any Use was made of them.

June 23. The Scots Commissioners sent a Paper this Day to the Lords to inform them, That the Marquis of Argyle was lately arrived from Scotland, and had somewhat to communicate to both Houses by

^a This Letter, which is copied from the Lords Journals, is printed in the King's Works, but not in any other Collections of these Times.

An. 22. Car. I. by Command; they desired, therefore, that a Time and Place might be appointed for that Purpose.

June

On which Message the Lords ordered, That a Committee of twenty of their House, and a proportionable Number of the Commons, should meet the Marquis, in the *Painted-Chamber*, on the 25th Inst. at Two in the Afternoon, and that such other Lords as pleased might be present.

Further Proceedings in the Case of Col. Lilburne.
June 25. 1646.

This Day also Col. *Lilburne* was, by Order, brought to the Bar of the House of Lords; and being directed to kneel there as a Delinquent, he refused it. After which the Houses proceeded to read a Pamphlet, said to be wrote by the said *Lilburne*, called *The Freeman's Freedom vindicated*. It was then ordered that Col. *John Lilburne*, for his Contempt to the House, and being questioned for two scandalous, seditious, and most dangerous Pamphlets, tending to raise Sedition, and to subvert the Fundamental Laws and Government of this Kingdom, and also containing scandalous Matter against this House, and some Members of the same, shall be remanded back to *Newgate*; and not permitted to have Pen, Ink, nor Paper, nor any Access to him in any Kind, but only his Keeper, untill this Court shall further order. But

The Commons seem'd as if they intended to take the Colonel's Part, and justify his Appeal to them as his proper Judges; for some Days after this, on the Petition of his Wife presented to that House, in behalf of her Husband, (then close Prisoner in the infamous Prison of *Newgate*, with his Appeal and all his other Papers) after two Divisions on the Question, it was carried and resolved, That the Petition and Papers of Lieutenant-Colonel *John Lilburne* should be committed to the Committee formerly appointed to consider of the Privileges of the Commoners of *England*. But it is probable they dropp'd this Cause afterwards, for we do not meet with any Report made about it.

June

June 26. The Earl of Manchester made a Report this Day to the Lords of what passed the Day before in the Painted Chamber; where he said the Marquis of Argyle delivered himself to the Committee of Lords and Commons in the following Speech

An. 22. Car. I.
1646.

June.

My Lords and Gentlemen,

Though I have had the Honour to be named by the Kingdom of Scotland in all the Commissions which had Relation to this Kingdom since the Beginning of this War, yet I had never the Happiness to be with your Lordships till now; wherein I reverence God's Providence, that he hath brought me hither at such an Opportunity, when I may boldly say, it is in the Power of the two Kingdoms, yea, I may say in your Lordships Power, to make us both happy, if you make good Use of this Occasion, by settling of Religion, and the Peace and Union of these Kingdoms. The Work of Reformation in these Kingdoms is so great a Work, as no Age nor History can parallel since Christ's Days; for no one Nation had ever such a Reformation set forth unto them, much less three Kingdoms: So that this Generation may truly think themselves happy if they can be instrumental in it. And as the Work is very great, so it cannot be expected but it must have great and powerful Enemies, not only Flesh and Blood, which hate to be reformed, but Principalities and Powers, the Rulers of the Darknes of this World, and Spiritual Wickednesses in high Places. As the Dangers are great, we must look the better to our Duties; and the best Way to perform these, is to keep us by the Rules which are to be found in our National Covenant, principally the Word of God, and, in its own Place, the Example of the best Reformed Churches; and, in our Way, we must beware of some Rocks, which are Temptations, both upon the Right and Left Hand, so that we must hold the middle Path. Upon the one Part we should take heed

The Marquis of Argyle's Speech at a Committee of both Houses,

not

464 The Parliamentary HISTORY

AN. 22. CAR. 1.
1646.

June.

not to settle lawless Liberty in Religion, where-
by, instead of Uniformity, we should set up a
thousand Heresies and Schisms, which is directly
contrary and destructive to our *Covenant*. Upon
the other Part we are to look that we persecute
not Piety and peaceable Men, who cannot, thro'
Scruple of Conscience, come up in all Things to
the common Rule: But that they may have such
a Forbearance as may be according to the Word
of God, may consist with the *Covenant*, and not
be destructive to the Rule itself, nor to the Peace
of the Church and Kingdom; wherein I will in-
sist no further, either to wrong your Lordships
Patience or Judgments, who, I doubt not, will
be very careful to do every thing according to our
Covenant.

As to the other Point, concerning the Peace
and Union of these Kingdoms; I know it is that
which all profess they desire; I hope it is what all
do aim at: Sure I am, it is that which all Men
ought to study and endeavour. And I think it
not amiss to remember your Lordships of some
former Experiences, as an Argument to move us
to be wise for the future. If the Kingdom of
England, in the Year of God 1640, then sitting
in Parliament, had concurred, as they were de-
sired, against the Kingdom of *Scotland*, no Que-
stion we had been brought to many Difficulties,
which, blessed be God, was, by the Wisdom of
the Honourable Houses, prevented: So, like-
wise, when this Kingdom was in Difficulties, if
the Kingdom of *Scotland* had not willingly, yea
cheerfully, sacrificed their Peace to concur with
this Kingdom, your Lordships all know what
might have been the Danger: Therefore let us
hold fast that Union which is so happily establish-
ed betwixt us; and let nothing make us again
two, who are so many Ways one; all of one
Language, in one Island, all under one King,
one in Religion, yea one in *Covenant*; so that,
in effect, we differ in nothing but in Name,
(as Brethren do) which I wish were also re-
moved,

removed, that we might be altogether one, if the two Kingdoms shall think fit: For I dare say, not the greatest Kingdom in the Earth can pre- judice both, so much as one of them may do the other.

I will forbear at this Time to speak of the many Jealousies I hear are suggested, for as I do not love them, so I delight not to mention them: Only one I cannot forbear to speak of, as if the Kingdom of Scotland were too much affected with the King's Interest: I will not deny but the Kingdom of Scotland, by reason of the Reign of many Kings, his Progenitors, loves them, hath a natural Affection to his Majesty, whereby they wish he may be rather reformed than ruined: Yet Experience may tell their personal Regard to him hath never made them forget that common Rule, *The Safety of the People is the supreme Law*: So likewise their Love to Monarchy makes them very desirous that it may be rather regulated than destroyed; which I hope I need not to mention further to your Lordships, who, I trust, are of the same Mind.

I know likewise there are many Jealousies and unjust Aspersions cast upon the Scots Armies in England and Ireland: I can, if it were needful, presently produce Heads of a Declaration intended by the Army in England for vindicating themselves from such Injuries, and shewing the Clearness of their Resolutions and Integrity, both in the Cause and towards this Kingdom; wherein their Undertakings and Coming in at such a Season of the Year, their hard Sufferings and constant Endeavours since, may be sufficient Testimonies: Therefore I am the more bold to desire your Lordships, That so long as they stay in England, which I wish may be for a short Time, they may be supplied with some Monies, and their Quarters enlarged; lest their lying in too narrow Quarters make the Burthen insupportable to that exhausted Corner of the Country where they now remain, and so beget Outcries against them,

An. 22. Car. I.

1646.

June.

‘ them, when they are not enabled to discharge their Quarters, as other Armies within the Kingdom.

‘ As for the Army in *Ireland*; I have been an Eye-Witness to their Sufferings, and so may speak of it likewise upon certain Knowledge, that never Men have suffered greater Hardships, who might have been provided for; they have lived many Times upon a few Beans, measured out to them by Number, and never had any other Drink but Water; and when they were in some better Condition, they had but an *Irish* Peck of rough Oats for a whole Week; and now, at their best Condition, when they are quartered upon the Country (which is able to entertain them only for a very short Time) they have only an *Irish* Peck of Oatmeal, or a Shilling in ten Days both for Meat and Drink. Therefore, according to the many Desires given in to the Honourable Houses for that End, I humbly intreat that your Lordships will take Care to provide for them, so long as it is thought fit that they remain in that Kingdom.

‘ For a renewed Testimony of our earnest Desires to comply with the Honourable Houses for settling the Peace of these Kingdoms, so much longed for, we do return unto your Lordships the *Propositions* of Peace (which we received on *Tuesday* last) with our Consent thereunto, wishing they may be hastened to his Majesty, who hath so often called for them. And I likewise offer to your Lordships the Copy of his Majesty’s Letter to my Lord of *Ormond*, discharging him from any further meddling in any Treaty with the Rebels in *Ireland*; I hope in order to his Majesty’s further condescending to the settling of that *Proposition* concerning *Ireland*, and the rest of the *Propositions* now to be sent unto him.

‘ Another *Paper* there is, which concerns the supplying of the *Scots* Armies in *England* and *Ireland*, and the perfecting of the Accounts between the Kingdoms, together with a Letter from Ge-

‘ neral-Major *Monroe*, to the Committee of Estates An. 22. Car. I.
 ‘ of the Kingdom of *Scotland*, concerning the State 1646.
 ‘ of Affairs in *Ireland*. All which, when your Lord-
 ‘ ships have considered, I trust ye will take such
 ‘ Course therein as may satisfy our just Desires,
 ‘ may put an End to our present Troubles, and
 ‘ settle these Kingdoms in a happy Peace.’

June.

The Paper wherein the Commissioners for the Kingdom of Scotland consent to the Propositions of Peace.

June 25, 1646.

‘ IT is above a Twelvemonth sithence we did The Scots Com-
 ‘ earnestly press the sending of *Propositions* to missioners Assent
 ‘ the King for a safe and well-grounded *Peace*. In to the Proposi-
 ‘ Answer whereunto, the Honourable Houses were tions of Peace.
 ‘ pleased to acquaint us, That they had resolved
 ‘ *Propositions* should be sent to his Majesty, but
 ‘ did intend to make some Alterations in the for-
 ‘ mer *Propositions*; and, after eight or nine Months
 ‘ Deliberation, we received from the Honourable
 ‘ Houses some of those *Propositions*: And though
 ‘ we did find therein very material Additions, Al-
 ‘ terations, and Omissions, which, for their great
 ‘ Importance, and the Interest of the Kingdom of
 ‘ *Scotland* therein, might very well have required
 ‘ the Delay of an *Answer* untill the Estates of that
 ‘ Kingdom had been consulted; yet so unwilling
 ‘ were we to retard the Means of *Peace*, that, in
 ‘ a Fortnight’s Time, we returned an *Answer* upon
 ‘ the whole *Propositions*: And the Houses of Par-
 ‘ liament not resting satisfied therewith, in less than
 ‘ ten Days we prepared a further *Answer*; where-
 ‘ in we did very much comply with the Desires of
 ‘ the Honourable Houses, especially in the Matter
 ‘ of the settling of the *Militia* of *England* and *Ire-*
 ‘ *land*; and in other Things did shew our Read-
 ‘ ness to hear or propose such Expedients as might
 ‘ determine our Differences: So that, in a whole
 ‘ Year’s Time, the *Propositions* have not remained
 ‘ in our Hands the Space of four Weeks, which
 ‘ we only mention to clear our Proceedings from

An. 22. Car. I.
1646.

June.

Mistakes and Aspersions: And the Houses having now, after two Months farther Deliberation, delivered unto us, upon the 23d of this Instant *June*, all the *Propositions* they intend to send to the King at this Time; we do, without any Delay, return such an Answer and Resolution thereupon, as will be, to the present and future Generations, one undeniable Testimony, besides many others, of the Integrity and Faithfulness of the Kingdom of *Scotland* in their *Solemn League and Covenant*, of their Love to Peace, and earnest Desire to satisfy their Brethren of *England* in those Things which concern the Good and Government of this Kingdom: Being further resolved, touching the Kingdom of *Scotland*, That as nothing of single or sole Concernment to that Nation did engage them in this War, so nothing of that Nature shall continue the same.

Although these *Propositions* now to be sent do much differ from the *Propositions* formerly agreed upon by the Parliaments of both Kingdoms; and the most material Additions, Omissions, and Alterations, are in such Particulars as concern the joint Interest and mutual Confidence and Conjunction of both Kingdoms, which were, as we conceive, much better provided for and strengthened by the former *Propositions* than by these; although the particular *Propositions*, presented by us concerning the Kingdom of *Scotland*, are not yet agreed unto by the Houses of Parliament, as was offered in their *Paper* of the 10th of *April*; although divers *Propositions* of joint Concernment be now superseded, and the sending of them delayed to a more convenient Time, as is expressed in the *Votes* of both Houses of the 26th of *March*; and although (which is to us more than all the rest) those *Ordinances* of Parliament, unto which the *fifth* and *sixth* *Propositions* do relate, (and were therefore communicated unto us upon our Desire to see what the Houses had already agreed upon concerning Religion) do not contain the Establishment of such a Reformation of Religion

ligion and Uniformity as was expected, and was An. 22. Car. I.
the chief End of our Engagement in this War. 1646.

And as all these *Ordinances* put together come
short of what we wished, so there are some Parti-
culars which we conceive to be inconsistent with
the Word of God, and the Example of the best
Reformed Churches; and therefore cannot, in
our Consciences, consent unto them; which Par-
ticulars were expressed to both Houses in the Re-
monstrance of the Commissioners of the Church
of Scotland, of the Date *March 26, 1646.* Yet,
nevertheless, we do so earnestly desire, and so
highly value, the easing of the heavy Pressures un-
der which both Kingdoms groan, and the bring-
ing of this bloody lasting War to a speedy and
happy End; considering withall that not only
the Book of Common Prayer and the Prelatical
Government are abolished, and a Common Di-
rectory of Worship established in both King-
doms, but that likewise the *Ordinances* aforemen-
tioned do contain divers Parts of a positive Re-
formation and Uniformity in Church-Govern-
ment, unto which we formerly gave our Consent,
in our *Answer* upon the whole *Propositions of Peate*
of the 20th of *April*; and for so happy a Beginning
and so good a Foundation laid for the future, we
heartily thank God, and do acknowledge the Zeal,
Piety, and Wisdom of the Honourable Houses
therein; remembering also that those *Ordinances*
do not contain the whole Model of Church-
Government, and that the Houses have been
pleased to express, *That it cannot be expected that*
a perfect Rule in every Particular should be settled
all at once; but that there will be Need of Supple-
ments and Additions, and haply of Alterations; in
some Things, as Experience shall bring to Light the
Necessity thereof.

Upon these Considerations as we do chearfully
consent to many material Parts of these *Propo-*
sitions; so we resolve to make no Let, but to give
Way to the sending of such other Particulars
therein contained, with which we are unsatisfied
G g 3

June.

An. 22. Car. 1.

1646.

June.

in the Matter, for the Reasons formerly represented to both Houses (of which some still stand in Force, though others of them be taken away by the new Expedients); it being always understood, that our not dissenting from, nor our opposing of the sending of the *Propositions*, as they now stand, shall be no Prejudice nor Impediment to all or any one of the Articles of the *Solemn League and Covenant*, especially to the first Article concerning the Preservation of the Reformed Religion in the Church of *Scotland*, in Doctrine, Worship, Discipline, and Government, against our common Enemies; the Reformation of Religion in the Kingdoms of *England* and *Ireland*, in Doctrine, Worship, Discipline, and Government, according to the Word of God, and Example of the best Reformed Churches; and the bringing of the Churches of God in the three Kingdoms to the nearest Conjunction and Uniformity in Religion, Confession of Faith, Form of Church-Government, Directory for Worship and Catechising; which Things both Kingdoms are, by *Covenant*, obliged sincerely and really to endeavour; and that not for a Time, but constantly: So that neither of the Kingdoms can be loosened or acquitted from the most strict and solemn Obligation of their continued and constant endeavouring those good Ends, so far as any of them is not yet obtained: It being also understood, that our Concurrence to the sending of the *Propositions*, shall be without Prejudice to any Agreement or Treaty between the Kingdoms, and shall not infringe any Engagement made to the Kingdom of *Scotland*; nor be any Hindrance to our insisting upon the other *Propositions* already made known to the Houses: And it being understood, that it is not our Judgment that every Particular and Circumstance of these *Propositions* is of so great Importance to these Kingdoms, as that *Peace* and *War* should depend thereupon.

Upon these Grounds (which we make known only for clearing our Consciences, and for discharging

charging ourselves in the Trust put upon us, without the least Thought of retarding the so much long'd-for Peace) we condescend and agree that the Propositions, as they are now resolved upon, be, in the Name of both Kingdoms, presented to the King; whose Heart we beseech the Lord wholly to incline to the Counsels of Truth and Peace.

An. 22. Car. I.
1646.
June.

By the Command of the Commissioners for the Kingdom of Scotland.

JOHN CHIESLEY.

Another Paper presented by the Scots Commissioners, of the same Date with the foregoing.

HAVING so often represented by Papers, and now by Word, to the Honourable Houses, the extreme Necessities of our Armies in England and Ireland, we shall not trouble them with unnecessary Repetition, but only mention those Desires which require their very speedy Consideration.

Their Remonstrance for supplying their Armies in England and Ireland, for settling their Accounts, &c.

1. We desire that, for easing the Country of their great Pressures, and preventing many dangerous Inconveniences, the Quarters of the Scots Army in the North of this Kingdom may be enlarged, and a considerable Supply of Money dispatched unto them.

2. That Money, Provisions, and Ammunition may be sent to the Scots Army in Ireland, and the same Care taken in providing for them, as for other Forces employed in that Kingdom.

3. That the 5000 Arms, long since promised, and in an Ordinance of both Houses of the 26th of August, 1645, referred to the Care of the Committee at Haberdashers-Hall, may be speedily provided; and that the Honourable Houses will be pleased to grant Power to that Committee to contract and make Payment, as well as to treat for furnishing of these Arms; by reason of which Defect in the Ordinance, the sending of these Arms hath been hitherto retarded.

4. That

An. 22. Car. 1.
1646.

June.

4. ' That to prevent the further Invasion of the Kingdom of *Scotland* by the *Irish* Rebels, Ships may be presently sent to attend the Coasts betwixt *Scotland* and *Ireland*; and the Commanders of these Ships authorized with such Instructions as are agreeable to the *Treaties* betwixt the Kingdoms.

5. ' That the Honourable Houses will be pleased to send Commissioners to join with the Committee of Estates residing with the *Scots* Army, who may be Witnesses, as of their other Proceedings, so of their earnest Desires and real Endeavours with the King, for giving speedy and full Satisfaction to both Kingdoms. And it is also our earnest Request, That these Commissioners may have Power to treat and agree with the Committee of Estates, concerning the settling of the Accounts, and settling any Differences that may arise thereupon: And further to treat and agree upon Overtures, estimated Mediums, or Expedients for the speedy settling thereof, (which we are confident may be done in a very few Days) and either finally to conclude them, or represent them to both Houses; whereby, with all possible Expedition, upon the settling of the Propositions and Accounts, such Course may be taken as that all Armies may be disbanded, the Kingdoms eased of their heavy Pressures and insupportable Burdens; and so, all Things being settled in a brotherly Way, we and our Posterity may, after so unhappy and troublesome a War, enjoy a quiet and blessed Peace.

By Command of the Commissioners for the Kingdom of *Scotland*.

JOHN CHIESLEY.

Both Houses order a Maintenance for the Duke of York.

June 27. This Day the Lords were informed, by a Letter from Sir *Thomas Fairfax*, that the Duke of *York* intended shortly to come to *London*, and desired that four Coaches and six Horses might be

The foregoing Speech of the Marquis of *Argyle* and the Papers of the *Scots* Commissioners, are taken from the Edition thereof published by their Authority, at *London*, by *Laurence Chapman*, June 27, 1646.

be appointed to attend him; also that some Course might be taken for Money to maintain him; he being now in much Want. The Lords ordered this

An. 22. Car. I.
1646.

June.

Intelligence to be communicated to the Commons, and that it should be referred to the Committee of the Revenue, to make some Provision of Money for his Maintenance; which the Commons agreed to.

The Parliament, on the Duke's Arrival, had all the King's Children, except the Prince of Wales, in their Custody. The Princess Elizabeth and the Duke of Gloucester had been at St. James's House ever since the King left it. And the youngest Princess, Henrietta, of whom the Queen was delivered at Exeter, was taken in that City at the last Rendition of it. The Countess of Dalkeith, whom the Queen had left Governess over this Child when she went into France, had often applied to Parliament for some Allowance of Money for the Support of it; or, at least, that she might be repaid the Money she had laid out herself for that Purpose. But though the Lady's Petitions on this Score were always strongly recommended by the Lords to the House of Commons, no Allowance was made: Upon which the Countess took an Opportunity to slip away with her young Charge, and conveyed it safe to its Mother in France.

About this Time also the King's two Nephews, Prince Rupert and Maurice, who had served their Uncle very gallantly and faithfully; and by the Articles of the Surrender of Oxford, had Leave given them, by Sir Thomas Fairfax, to go where they pleased, went accordingly to Oatlands in Surrey, one of the King's Palaces; which the House of Commons hearing of, they sent them Word, June 29, to depart from thence and out of the Kingdom in ten Days Time^h. But, before their Departure, they thought fit to address the following submissive Letter to the House of Lords.

The Commons
require the Princes
Rupert and
Maurice to leave
the Kingdom.

For

^h On the 27th of this Month the Commons divided on the Question, Whether the two Princes should have Leave to reside at Oatlands? It was carried against them, 75 to 66. The next Day the Resolution for their Banishment was carried by 75 to 62.

474 *The Parliamentary History*

An. 22. Car. 1. *For the Speaker of the House of Peers, my Lord of*
1646. *MANCHESTER.*

June.

My Lord,

Oatlands, June 28, 1646.

Their Address to
the House of
Lords on that
Occasion ;

OUR earnest Desire to your Lordship is,
That you will be pleased to represent to
the House of Lords, that, upon the clear Appre-
hension that we had of the Sense of the Articles
concerning the Surrender of *Oxford*, and our
Pass from the General, we departed to *Oatlands*,
as in our Way, and for some Time a convenient
Distance for our Address to the Parliament; that
as soon as we had received the *Votes* of the House
of Commons, declaring that, by our coming hi-
ther, we had broken the Articles, and com-
manding us, within ten Days, to depart to the
Sea Side, and forthwith to depart the King-
dom, we did instantly resolve to move from this
Place, as soon as in any Possibility we could,
and to apply ourselves to give them Satisfaction
concerning our coming hither.

We beseech your Lordship to make it known
to the Lords in Parliament, that, if we could
have conceived it would have given any Offence,
we would not have come hither; and now,
upon Knowledge that it hath, we are removed :
And though we do not know whether your Lord-
ships have taken into Consideration our coming
hither, yet have we ventured to offer you and
their Lordships this Trouble, for Prevention of
any Apprehensions they may have of any Thought
in us to do any thing that we could conceive
might offend the Houses of Parliament, to hin-
der ourselves from the Happiness of receiving
Benefit or Favour from them, which we value
too much to lose; and which we will not fail to
keep by our utmost and best Endeavours. My
Lord, we are

Your Lordship's

faithful Friends to serve you,

RUPERT.
MAURICE.

We

We do not find that the Lords took any Notice of this *Letter* from the two Princes; all we meet with about them is, That, on the humble Request of their Brother the Prince Elector, who was then at *London*, and in the Parliament's good Graces, he was permitted to see them before their Departure: A few Days after this they both embark'd at *Dover*, as did also the Prince of *Wales* from the Isle of *Jersey*, for *France*.

An. 23. Car. I.
1646.
June.

Which meets
with no Regard.

The Judges being about this Time, by Order of Parliament, to set out on their Circuits to hold the Summer Assizes, the House of Commons thought proper to instruct them what they should deliver in their Charges to the several Counties; a Copy of which, from their *Journals*, finishes the Affairs of this Month.

INSTRUCTIONS for the JUDGES, to be given in Charge by them in their several Circuits.

I. ' **I**N their Charges, to let the People know, That the Intentions and Endeavour of this Parliament have been, and yet are, to free the Subjects of this Kingdom from all unlawful Taxes and Charges, and from all arbitrary Power in Judicature, to be exercised over them, concerning their Lives, Persons, or Estates.

Instructions
from the Com-
mons to the
Judges of Assize.

II. ' That, in Pursuance of these their Intentions, by the Endeavour of this present Parliament, the enlarged Bounds of Forests, Ship-Money, Money for Knighthood, Monopolies, Coat and Conduct-Money, and all other unlawful Taxes and Charges upon Wares and Merchandize, and inland Goods, have been taken away; and likewise the Star-Chamber, High Commission Court, the Bishops and their Courts, the Marshalls Court called the Court of Honour, the Court of the President of *York*, have been taken away; and the Council Board, Stannary-Courts, and of the President and Council of the Marches in *Wales*, regulated and brought within due Bounds.

III. ' That

An. 22. Car. I.

1646.

June.

III. ' That whereas, sithence the Beginning of
 ' this War, many and great Sellments, and other
 ' Charges, have been laid upon them by the Par-
 ' liament, to the Impoverishing of them in their
 ' Estates; and unusual and vast Powers have been
 ' exercised over them by Governors of Forts,
 ' Castles, and Towns, by Committees of Parlia-
 ' ment, and otherwise, by Authority from the Par-
 ' liament; to let them know, That the Parliament,
 ' in this Time of War, was necessitated thereunto,
 ' for the Good of the Kingdom; and that what hath
 ' been done at such a Time of Necessity, shall not
 ' be drawn into Example to their future Prejudice.
 ' To let them know the Necessity of this War;
 ' and that it was not lightly undertaken, but to pre-
 ' serve the true Reformed Protestant Religion, and
 ' the Laws made this present Parliament, and in
 ' former Ages, for the Ease and Liberty of the
 ' Subjects; and for bringing Traitors, and other
 ' notorious Delinquents, to Justice: That, as the
 ' present War hath cost the Kingdom much Blood
 ' and Treasure; so *Magna Charta*, and the ' Li-
 ' berties that from our Ancestors descended upon
 ' us, cost them much Sweat and Blood: That
 ' we were bound to be as just to our Children, and
 ' the Generations to come, as they were unto us.
 ' To let them know, That all or most of the
 ' Lords and Commons, who serve in Parliament,
 ' have been as deep Sufferers by the War as others,
 ' besides their daily Labour and Attendance.
 ' To let them know, That as, by the Blessing
 ' of God upon the Forces of the Parliament, the
 ' Strength of the Enemy is much abated, and di-
 ' vers Places are now in the Power of the Parlia-
 ' ment, which formerly were under the Enemy;
 ' so, as the Necessity of the War will permit, they
 ' will proceed to mitigate and abate those Charges:
 ' And, as they have already laid down some Garri-
 ' sons, so are they discharging all others that shall
 ' not be found necessary to be continued, untill the
 ' Peace, by God's Blessing, be fully settled: All
 ' which

‘ which Garrisons likewise in the Power of the
 ‘ Governors, and in the Pay, shall be regulated,
 ‘ and put into an orderly Way.

An. 22. Car. I.

1646.

June.

‘ To let them know, That the Houses are sen-
 ‘ sible of the Miseries that inevitably accompany a
 ‘ Civil War; and that they will take all Occasions
 ‘ to procure a safe and well-grounded Peace: And
 ‘ as, since the present War, the Parliament hath
 ‘ twice sent *Propositions* to the King for Peace; the
 ‘ First whereof were treated upon at *Oxford* about
 ‘ *March* 1643; and the Second at *Uxbridge*, in
 ‘ *February* 1644; so have they again agreed upon
 ‘ *Propositions* to be speedily sent for that End.

‘ To let the People know the Care the Parliament
 ‘ hath taken, that, as far as the Distractions of the
 ‘ Times would permit, the public Justice of the
 ‘ Kingdom should be administered, by providing a
 ‘ Great Seal, the other being carried to *Oxford*;
 ‘ without which the Judges would have had nothing
 ‘ to do; nor any Felons, Murders, or Robberies,
 ‘ been punished; nor Sheriffs, nor Justices of the
 ‘ Peace been made; nor Writs could have been
 ‘ awarded for new Elections of Members in the
 ‘ Commons House in Places vacant: That, in Part,
 ‘ they have supplied the Places of the Judges that
 ‘ deserted their Trust: And whereas divers that
 ‘ have been nominated Justices of the Peace in
 ‘ Counties have not yet taken their Oaths, where-
 ‘ by the Service in their Counties is neglected, the
 ‘ Judges are to return their Names.

‘ Whereas, by that which hath been done in
 ‘ this Time of War, the true Intention of the Par-
 ‘ liament may be misconstrued, as if they intended
 ‘ by themselves, or others under their Authority,
 ‘ to exercise an unusual and arbitrary Power over
 ‘ their Fellow-Subjects; to let them know, as, by
 ‘ their Endeavours, the Star-Chamber, and the
 ‘ other arbitrary Courts before-mentioned, have
 ‘ been taken away, and others regulated, so they do
 ‘ intend to regulate the Proceedings in the Chan-
 ‘ cery, Exchequer-Chamber, and other Courts;
 ‘ and

An. 22. Car. 1.
1646.

June.

‘ and that the Houses of Parliament, nor either of
 ‘ them, will interrupt the inferior Courts of Justice
 ‘ in their usual and just Proceedings : And to let
 ‘ them know, That the Intentions of the Houses
 ‘ have been, and still are, to endeavour the Ta-
 ‘ king away of all arbitrary Power in Judicature ;
 ‘ and that the Lives, Persons, and Estates, of the
 ‘ Subject be judged and determined by the antient
 ‘ and known Laws of the Kingdom ; that the Peace
 ‘ not being yet fully settled, there is more Cause
 ‘ now, than at other Times, to take care that
 ‘ Watch and Ward be made in the several Parishes
 ‘ and Places fitting, for Apprehending of Soldiers
 ‘ without Passes, and all other Persons suspicious ;
 ‘ to be careful of Alehouses, and other Places,
 ‘ where loose and disorderly Persons usually resort.
 ‘ To see the Laws against Jesuits and Popish
 ‘ Priests, and the other good Laws of the Kingdom,
 ‘ be duly put in Execution ; and, in special, those
 ‘ that concern Robberies, Thefts, and Murders.’

Of which the
 Lords forbid their
 Observance.

We have given these *Instructions* at Length, to
 shew how anxious the Commons were to have the
 People of *England* possess'd in their Favour : But
 the Lords refused their Concurrence to them ; and
 ordered, That the Judges should give only such
 Things in Charge as were in their Commissions ;
 and that, for the Time to come, Care should be
 taken to prevent imposing upon the Judges such
 Things as were not within their Commissions, as
 had been in former Times and lately done, to the
 countenancing of very illegal Things, and obstruct-
 ing such as concern'd the common Justice of the
 Kingdom.

The State of the
 King's Affairs
 at this Time.

The King's Affairs and all his Friends in *En-
 gland* being now quite ruined and subdued, and he
 himself a Kind of a Prisoner in the *Scots* Army,
 the Parliament had nothing to fear from the Roy-
 alists in this Kingdom, nor of any Efforts they
 could make to serve his Majesty : But yet they
 were

were very far from being easy on account of the *An. 22. Car. I.*
Scots, whom, as Mr. *Whitlocke* observes, the *Pres-*
byterian Party here strove to support as far as mo- 1646.
 destly they could. General *Fairfax* and his
 Friends were of this Number, whilst *Cromwell*
 was of a contrary Party, who were Enemies to
 the other's Designs of Conformity; but as yet car-
 ried on their Business with much Privacy and Sub-
 tilty. These latter Sort were secret Enemies not
 only to the King, but to all Kingly Government;
 and consequently endeavoured, underhand, to ob-
 struct any Union between his Majesty and the Par-
 liament, which would have entirely ruined all
 their own ambitious Projects and Designs.

June.



their own ambitious Projects and Designs.
firmest Union between his Majesty and the Par-
liament, which would have certainly retained all
and conscientiously endeavoured, understand, to ob-
only to the King; but to all Kings Government;
they. These latter Sort were secret Enemies not
ried on their Banners with much Privacy and Sub-
the other's Designs of Conformity; but as yet con-
was of a contrary Party, who were Enemies to
Friends were of this Number, while Cromwell
doubtly they could. General Fairfax and his
System Party here strive to support us far as imo-
Sons, whom, as Mr. Wallack observes, the Parli-

were very far from being early on account of the Anarchy.



POSTSCRIPT.

SINCE this Volume was printed off, a Book has fallen into our Hands, wherein the Affair of the Irish Treaty is fully discussed, and which deserves the Attention of every impartial Reader. It is intituled, An Enquiry into the Share which King Charles I. had in the Transactions of the Earl of Glamorgan, afterwards Marquis of Worcester, for bringing over a Body of Irish Rebels to assist that King, in the Years 1645 and 1646; in which Mr. Carte's imperfect Account of that Affair, and his Use of the MS. Memoirs of the Pope's Nuncio, Rinuccini, are impartially considered. The whole drawn from the best Authorities, Printed and Manuscript.

up INUB
11/15/27.

TOSTSCRIPT.

SINCE the Volume was printed off, a Book
has fallen into our Hands, wherein the History
of the Irish Treaty is fully discussed, and which
deserves the Attention of every impartial Reader.
It is entitled, An Inquiry into the Share which
King Charles II. had in the Transactions of the
Lord of Clarendon, afterwards Marquis of Wor-
cester, for bringing over a Body of Irish Rebels to
assist that King in the Years 1642 and 1643; in
which Mr. Carter's impartial Account of that Affair
is, and his Use of the MS. Memoirs of the Pope's
Nuncio, &c. are impartially considered. The
whole drawn from the best Authorities, Printed
and Manuscript.